

# Ohio House of Representatives



Rules and Reference Committee  
Ron Amstutz

## Introduction and Referral Report

November 10, 2016

Representative Celebreeze reported for the Rule and Reference committee recommending that the following House Concurrent Resolutions, House Resolutions, and Senate Concurrent Resolution be introduced and referred to the following committees for consideration:

**H. C. R. No. 36 – Representatives Sheehy, Cupp**  
To urge the Secretary of the Navy to name a guided missile destroyer vessel the O.H. Perry, in honor of Commodore Perry who fought in the Battle of Lake Erie during the War of 1812.

**To the committee on State Government**

*Add the name: Brenner*

**H. C. R. No. 37 – Representatives Conditt, Patmon**  
To urge Congress to propose the Regulation Freedom Amendment to the Constitution of the United States.  
**To the committee on State Government**

**H. R. No. 503 – Representatives Smith, K., Antonio**  
To call on legislators at the state and federal level and other communities and jurisdictions to support an amendment to the United States Constitution that would abolish corporate personhood and the doctrine of money as speech.  
**To the committee on State Government**

**H. R. No. 510 – Representatives Johnson, G., Driehaus**  
To urge the Governor to declare that the increasing prevalence of opioid abuse is a public health emergency and to direct available state resources to support prevention and treatment efforts.  
**To the committee on Health and Aging**  
*Add the names: Boyce, Brenner, Celebreeze, Amstutz, Hood*

**S. C. R. No. 15 – Senators Obhof, Faber**  
To reassert the principles of federalism found throughout the Constitution of the United States of America and embodied in the Tenth Amendment, to notify Congress to limit and end certain mandates, and to insist that federal legislation contravening the Tenth Amendment be prohibited or repealed.  
**To the committee on State Government**

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Ron Amstutz

# Ohio House of Representatives



## Rules and Reference Committee

Ron Amstutz, Chair

## Referral Report

**November 10, 2016**

Representative Celebreeze reported for the Rules and Reference committee recommending that the following House Bills, House Joint Resolution, and Senate Bills be considered for the second time and referred to the following committees for consideration:

**H.B. No. 147 – Representative Hood**

To allow a person who has a concealed handgun license to carry concealed all firearms other than dangerous ordnance or firearms that state or federal law prohibits the person from possessing and to provide that a person 21 years of age or older and not legally prohibited from possessing or receiving a firearm by federal law does not need a concealed handgun license in order to carry or have concealed on the person's person or ready at hand a firearm and is subject to the same laws regarding carrying a concealed firearm as a person who has a concealed handgun license.

**To the committee on State Government**

**H.B. No. 280 – Representatives Kraus, Koehler**

To adopt the Compact for a Balanced Budget and to declare an emergency.

**To the committee on State Government**

**H.B. No. 465 – Representatives Ruhl, Ryan**

To retroactively extend eligibility for benefits from the Volunteer Peace Officers' Dependents Fund to situations in which, on or after January 1, 2016, a volunteer peace officer is totally and permanently disabled or killed in the line of duty.

**To the committee on State Government**

**H.B. No. 542 – Representative McColley**

To specify the conditions under which a court may order that a polling place be kept open for extended hours on the day of an election and to require a person who votes pursuant to such an order to cast a provisional ballot.

**To the committee on Government Accountability and Oversight**

**H.B. No. 543 – Representative Ramos**

To specify the conditions under which a board of county commissioners may establish one or more branch offices of the board of elections for in-person absent voting.

**To the committee on Government Accountability and Oversight**

# Ohio House of Representatives



## **H.B. No. 544 – Representatives Koehler, Landis**

To permit high school students to take a civics assessment instead of the American government end-of-course examination.

**To the committee on Education**

## **H.B. No. 545 – Representatives Driehaus, Dever**

To allow a corporation to become a benefit corporation.

**To the committee on Commerce and Labor**

## **H.B. No. 546 – Representative DeVitis**

To authorize a board of education or governing authority of a school to enter into an agreement with a volunteer who is a current or retired law enforcement officer to patrol school premises to prevent or respond to a mass casualty event, to generally provide to a board of education or governing authority of a school and to such a volunteer immunity from civil liability for injury, death, or loss arising from the volunteer's services, and to provide a tax credit for volunteer service.

**To the committee on Ways and Means**

## **H.B. No. 549 – Representative Patterson**

To create the STEM Degree Loan Repayment Program and to make an appropriation.

**To the committee on Finance**

## **H.B. No. 550 – Representative Arndt**

To require the Ohio School Facilities Commission to establish a program assisting school districts in purchasing technology and making physical alterations to improve technology infrastructure and school safety and security.

**To the committee on Education**

## **H.B. No. 552 – Representative Burkley**

To establish the Monarch Butterfly license plate.

**To the committee on Transportation and Infrastructure**

## **H.B. No. 553 – Representative Boccieri**

To create the "Ohio Pupil Transportation...Safety First!!" license plate.

**To the committee on Transportation and Infrastructure**

## **H.B. No. 555 – Representatives Patterson, Boggs**

To allow A-4 liquor permit holders to manufacture and sell ice cream containing between one-half of one per cent and six per cent of alcohol by volume.

**To the committee on Government Accountability and Oversight**

# Ohio House of Representatives



## **H.B. No. 558 – Representatives Boccieri, Ramos**

To require the use of domestic steel in construction, repair, or improvement projects involving certain buildings used by public schools, state institutions of higher education, and specified private colleges.

**To the committee on State Government**

## **H.B. No. 559 – Representative Cupp**

To grant qualified civil immunity to certain medical providers who provide emergency medical services as a result of a disaster or mass hazard; to provide that certain communications made regarding an unanticipated outcome of medical care, the development or implementation of standards under federal laws, and an insurer's reimbursement policies on health care are inadmissible as evidence in a medical claim; to provide that medical bills itemizing charges are inadmissible as evidence and a payment for medical services accepted by a defendant from an insurer is admissible as evidence of the reasonableness of the charges; to specify the manner of sending a notice of intent to file a medical claim and provide a procedure for the discovery of other potential claims within a specified period after the filing of a medical claim; to provide that any loss of a chance of recovery or survival by itself is not an injury, death, or loss for which damages may be recovered; to provide civil immunity to certain medical providers regarding the discharge of a patient with a mental condition that threatens the safety of the patient or others; to require that governmental agencies that receive peer review committee records maintain their confidentiality; and to clarify the definition of "medical claim."

**To the committee on Judiciary**

## **H.B. No. 560 – Representative Hambley**

Regarding verification of community school enrollments.

**To the committee on Education**

## **H.B. No. 561 – Representatives Boccieri, Clyde**

To require boards of county commissioners to appoint additional park board commissioners and allow for public comment during appointment process.

**To the committee on Local Government**

## **H.B. No. 562 – Representatives Hambley, Ryan**

To authorize local governments and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail.

**To the committee on Local Government**

## **H.B. No. 563 – Representative Ramos**

To provide for payments to municipalities or school districts for their lost income tax revenue after a business lays off 50 or more employees within their jurisdiction.

**To the committee on Finance**

# Ohio House of Representatives



## **H.B. No. 564 – Representative Ramos**

To make changes to the law governing immunizations for pupils.

**To the committee on Health and Aging**

## **H.B. No. 565 – Representative Ramos**

To allow a credit against the income tax or commercial activity tax for graduates or employers who make payments on student loans obtained by the graduate to earn a degree from an Ohio college or university.

**To the committee on Ways and Means**

## **H.B. No. 566 – Representative Ramos**

To prohibit the labeling and advertising of nursery stock as pollinator beneficial under specified conditions.

**To the committee on Agriculture and Rural Development**

## **H.B. No. 567 – Representative Driehaus**

To require that, if JobsOhio provides financial assistance for the cleanup and remediation of brownfields, at least 85% of the assistance must be in the form of grants.

**To the committee on Government Accountability and Oversight**

## **H.B. No. 568 – Representatives Phillips, Rogers**

To create a generally uniform definition of employee for specified labor laws, to create a uniform standard to determine whether an individual performing services for an employer is an employee of that employer, and to regulate the payment of wages via payroll card.

**To the committee on Commerce and Labor**

## **H.B. No. 569 – Representative Antonio**

To rename the offense of ethnic intimidation to bias-motivated crime; to expand the scope of the offense to include specified crimes committed based on a person's actual or perceived ethnicity, gender, sexual orientation, gender identity, or disability; to require peace officer training on bias-motivated crime, and to require law enforcement agencies to submit data on bias-motivated crime to the Ohio Department of Public Safety and the Federal Bureau of Investigation and provide for the annual public release of the data.

**To the committee on Judiciary**

## **H.B. No. 570 – Representative Hill**

Regarding funding for students enrolled in community schools, STEM schools, and other districts through interdistrict open enrollment.

**To the committee on Education**

## **H.B. No. 571 – Representatives Duffey, Boggs**

Regarding the presentation of career information to students.

**To the committee on Education**

# Ohio House of Representatives



## **H.B. No. 572 – Representatives Leland, Sprague**

To allow taxpayers to contribute all or a portion of their income tax refunds to support improved cancer reporting through the Ohio Cancer Incidence Surveillance System Fund.

**To the committee on Ways and Means**

## **H.B. No. 574 – Representatives Sprague, DeVitis**

To prohibit the installation of unsafe used tires on certain motor vehicles.

**To the committee on Commerce and Labor**

## **H.B. No. 575 – Representative Boyce**

Regarding qualified aliens' eligibility for Medicaid, Ohio Works First, and the Supplemental Nutrition Assistance Program during their first five years in the United States.

**To the committee on State Government**

## **H.B. No. 576 – Representative Ryan**

To exempt from the Public Records Act financial account numbers and identifying information in public records and to provide that taxpayer electronic mail address lists used by county treasurers to deliver tax bills are not public records.

**To the committee on Local Government**

## **H.B. No. 577 – Representative Booze**

To prohibit the General Assembly from holding sessions after the general election in an even-numbered year.

**To the committee on State Government**

## **H.B. No. 579 – Representatives Ashford, Sweeney**

To make supplemental appropriations to the Department of Transportation in order to provide political subdivisions with funding for critical road maintenance repairs.

**To the committee on Finance**

## **H.B. No. 580 – Representatives Johnson, T., Huffman**

To designate the month of November as "One Health Awareness Month."

**To the committee on Health and Aging**

## **H.B. No. 581 – Representatives Dever, Reineke**

To permit and regulate managers, members, and interests of series limited liability companies.

**To the committee on Judiciary**

# Ohio House of Representatives



## **H.B. No. 582 – Representatives Thompson, O'Brien, S.**

To allow a landowner to report an idle and orphaned well or abandoned well, to require the Chief of the Division of Oil and Gas Resources Management to inspect and classify such a well, and to require the Chief to begin plugging a well classified as distressed-high priority within a specified time period.

**To the committee on Energy and Natural Resources**

## **H.B. No. 583 – Representative Becker**

To remove any requirement under the Public Employees Collective Bargaining Law that public employees join or pay dues to any employee organization, to prohibit public employers from requiring public employees to join or pay dues to any employee organization, to prohibit an employee organization from being required to represent public employees who are not members of the employee organization, and to make an appropriation.

**To the committee on Finance**

## **H.B. No. 584 – Representative Cera**

To designate portions of Interstate Route 70 in Belmont County as the "Sergeant Sylvester Antolak Medal of Honor Recipient Memorial Highway" and the "Sergeant Emile DeLeau, Jr. Medal of Honor Recipient Memorial Highway."

**To the committee on Transportation and Infrastructure**

## **H.B. No. 585 – Representative Antani**

To provide that a record created by a body camera that is worn or carried by a law enforcement officer who is engaged in the performance of the officer's official duties generally is a public record, to provide in the specified circumstances in which such a record is not a public record that there are conditions under which the record becomes a public record, to provide that the portions of a record that contain personal information or information that is not relevant to the offense or delinquent act are exempt from inspection and copying under the Public Records Law and are subject to redaction, and to require a local records commission to maintain records from a body camera for a minimum of one year unless the law enforcement agency is subject to a records retention schedule that establishes a longer period of time.

**To the committee on Judiciary**

## **H.B. No. 586 – Representatives Smith, K., Boyd**

To require the Ohio Civil Rights Commission to establish a system for individuals to make anonymous complaints regarding employers discriminating in the payment of wages.

**To the committee on State Government**

# Ohio House of Representatives



## **H.B. No. 587 – Representative Boyce**

To require law enforcement officers to use dashboard cameras and body cameras during any time that they are interacting with any member of the public while in the performance of their duties, to provide for state financial assistance to local law enforcement agencies for the purchase of such cameras and related equipment, and to make an appropriation.

**To the committee on Finance**

## **H.B. No. 588 – Representatives Antonio, Boccieri**

To enact the Consumer Protection Call Center Act of 2016 to require the Department of Job and Family Services to compile a list of all employers that relocate a call center to a foreign country and to disqualify employers on that list from state grants, loans, and other benefits.

**To the committee on State Government**

## **H.B. No. 589 – Representative Duffey**

To permit the Public Utilities Commission to adopt rules governing residential utility reselling.

**To the committee on Public Utilities**

## **H.B. No. 590 – Representative Becker**

To provide that a concealed handgun licensee who carries a handgun concealed on or in property on which carrying a concealed handgun is prohibited is subject to removal but is not guilty of a violation of the prohibition unless the licensee fails to leave the premises upon request, that a licensee who fails to leave upon request or returns with a firearm within thirty days is guilty of disorderly conduct, and that a private property owner who chooses to prohibit firearms on the property is not immune from liability if a related injury occurs.

**To the committee on State Government**

## **H.B. No. 591 – Representative Pelanda**

To eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances.

**To the committee on Government Accountability and Oversight**

## **H.B. No. 592 -- Representative Merrin**

To subject small business investment companies to the commercial activity tax rather than the financial institutions tax.

**To the committee on Ways and Means**

## **H.B. No. 593 – Representative Arndt**

To permit intrastate equity crowdfunding under certain circumstances.

**To the committee on Financial Institutions, Housing, and Urban Development**

# Ohio House of Representatives



## **H.B. No. 594 – Representative Roegner**

Regarding public moneys returned to the state as a result of a finding of recovery issued pursuant to an audit of a community school.

**To the committee on Government Accountability and Oversight**

## **H.B. No. 595 – Representative Patmon**

To designate June 1, 2017, as “Superman Day.”

**To the committee on State Government**

## **H.B. No. 596 – Representatives Sprague, Slesnick**

To raise the foreign debt cap from one per cent to two per cent regarding state interim funds and county inactive and public library fund investments.

**To the committee on State Government**

## **H.B. No. 597 – Representative Kochler**

Regarding the Medical Marijuana Control Program and reciprocity agreements.

**To the committee on Government Accountability and Oversight**

## **H.B. No. 598 – Representative Terhar**

To create the Ohio Consumer Installment Loan Act.

**To the committee on Financial Institutions, Housing, and Urban Development**

## **H.B. No. 599 – Representative Amstutz**

To repeal the financial institutions tax rate adjustment mechanism scheduled for tax year 2017 and to declare an emergency.

**To the committee on Ways and Means**

## **H.B. No. 600 – Representative Amstutz**

To make a technical correction to the financial institutions tax rate adjustment mechanism for tax year 2017 and to declare an emergency.

**To the committee on Ways and Means**

## **H.B. No. 601 – Representative Pelanda**

To create a statutory definition of “microbusiness.”

**To the committee on Commerce and Labor**

## **H.B. No. 602 – Representatives Cupp, Rezabek**

To adopt the Revised Uniform Fiduciary Access to Digital Assets Act.

**To the committee on Judiciary**

# Ohio House of Representatives



## **H.B. No. 603 – Representative LaTourette**

To create the Palliative Care and Quality of Life Interdisciplinary Council, to establish the Palliative Care Consumer and Professional Information and Education Program, and to require health care facilities to identify patients and residents who could benefit from palliative care.

**To the committee on Health and Aging**

## **H.B. No. 604 – Representative Patmon**

To designate November as "Dick Goddard Month."

**To the committee on State Government**

## **H.B. No. 605 – Representative Ramos**

To designate a portion of Interstate Route 90 in Cuyahoga County as the "Patrol Officer Kenny Velez Memorial Highway."

**To the committee on Transportation and Infrastructure**

## **H.B. No. 606 – Representative Patterson**

To designate a portion of State Route 534 in Ashtabula County as the "Sgt. William 'Bill' Endress and Geneva Vietnam War Veterans Memorial Highway."

**To the committee on Transportation and Infrastructure**

## **H.B. No. 607 – Representatives Patterson, Sheehy**

To require the Director of Agriculture to adopt rules establishing the Ohio Water Quality Improvement Program, to exempt land enrolled in the Program from taxation, and to reimburse local taxing units for revenue lost due to that exemption.

**To the committee on Agriculture and Rural Development**

## **H.B. No. 608 – Representatives Grossman, Reineke**

To authorize a manufacturer of autonomous vehicles or autonomous technology to operate autonomous vehicles on public roads and highways in accordance with specified requirements, and to require the Director of Transportation to produce a report discussing whether additional legislative or regulatory actions are necessary for purposes of ensuring the safe testing of autonomous vehicles.

**To the committee on Transportation and Infrastructure**

## **H.B. No. 609 – Representatives Antani, Duffey**

To allow electors to photograph and make public the elector's own marked ballot.

**To the committee on Government Accountability and Oversight**

# Ohio House of Representatives



## **H.B. No. 610 – Representative Ruhl**

To designate the bridge spanning Schenck Creek on State Route 36 in Knox County as the "Corporal Nathan R. Anderson Memorial Bridge."

**To the committee on Transportation and Infrastructure**

## **H.B. No. 611 – Representative LaTourette**

To provide for the designation of a lay person to provide after-care to a hospital inpatient and participate in discharge planning.

**To the committee on Health and Aging**

## **H.J.R. No. 8 – Representatives Reece, Sykes**

Proposing to amend Section 6 of Article I of the Constitution of the State of Ohio to prohibit slavery or involuntary servitude in Ohio for the punishment of crime.

**To the committee on Government Accountability and Oversight**

## **Sub. S.B. No. 165 – Senator Lehner**

To establish procedures for the use of medical orders for life-sustaining treatment and to make changes to the laws governing DNR identification and orders.

**To the committee on Health and Aging**

## **Am. S.B. No. 169 – Senator LaRose**

To designate the fourth Tuesday in September as "Voter Registration Awareness Day" and to encourage governmental entities to observe that day.

**To the committee on State Government**

## **Am. S.B. No. 206 – Senator LaRose**

To allow certain campaign committees and other entities to file campaign finance statements electronically and to require the Secretary of State to make the information in those electronic statements available online.

**To the committee on Government Accountability and Oversight**

## **Sub. S.B. No. 227 – Senator Bacon**

To make various changes to the laws governing the duties and functions of the Attorney General.

**To the committee on State Government**

## **S.B. No. 231 – Senator Lehner**

To create the "Ohio Association of Child Caring Agencies" license plate.

**To the committee on Transportation and Infrastructure**

# Ohio House of Representatives



## **Sub. S.B. No. 235 – Senators Beagle, Coley**

To exempt from property tax the increased value of property on which industrial or commercial development is planned until the completion of new commercial or industrial facilities at the property.

**To the committee on Finance**

## **Am. S.B. No. 245 – Senator Manning**

To create the Malnutrition Prevention Commission to study malnutrition among older adults.

**To the committee on Health and Aging**

## **Am. S.B. No. 247 – Senators Brown, Lehner**

To require school districts to allow approved summer food service program sponsors to use school facilities to provide food service for summer intervention services under certain conditions.

**To the committee on Education**

## **Sub. S.B. No. 254 – Senator Uecker**

Regarding final disposition of fetal remains from surgical abortions.

**To the committee on Health and Aging**

## **Sub. S.B. No. 257 – Senators Seitz, Skindell**

To create a presumption of validity for recorded real property instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments.

**To the committee on Judiciary**

## **S.B. No. 273 – Senator Bacon**

To enact the Corporate Governance Annual Disclosure Act.

**To the committee on Government Accountability and Oversight**

## **Sub. S.B. No. 284 – Senator Obhof**

To provide that a person who is found not guilty of an offense by a jury or a court or who is the defendant named in a dismissed complaint, indictment, or information may apply to the court for an order to expunge the person's official records in the case if the complaint, indictment, or information or finding of not guilty was the result of the applicant having been a victim of human trafficking, to permit a person convicted of certain prostitution-related offenses to apply for the expungement of any record of conviction of an offense, other than a conviction of certain offenses, if the person's participation in the offense was a result of having been a victim of human trafficking, and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution.

**To the committee on Judiciary**

# Ohio House of Representatives



## **Am. S.B. No. 287 – Senator Hite**

To require state agencies to assess the prevalence of all types of diabetes in Ohio, to establish goals and plans to reduce that prevalence, and to submit biennial reports with findings and recommendations for fiscal and legislative policies on diabetes prevention, treatment, and management.

**To the committee on Health and Aging**

## **S.B. No. 291 – Senator Yuko**

To designate September as "Pain Awareness Month."

**To the committee on Health and Aging**

## **Sub. S.B. No. 299 – Senator Hottinger**

To create the Perry County Municipal Court in New Lexington on January 1, 2018, to establish one full-time judgeship in that court, to provide for the nomination of the judge by petition only, to abolish the Perry County County Court on that date, to designate the Perry County Clerk of Courts as the clerk of the Perry County Municipal Court, and to provide for the election for the Perry County Municipal Court of one full-time judge in 2017.

**To the committee on Judiciary**

## **Am. S.B. No. 308 – Senator Coley**

To amend the child support laws.

**To the committee on Community and Family Advancement**

## **S.B. No. 311 – Senator Patton**

To require the Ohio Department of Health to prepare an influenza vaccine information sheet pertaining to older adults.

**To the committee on Health and Aging**

## **S.B. No. 312 – Senator Jones**

To designate May 1 as "Fanconi Anemia Awareness Day."

**To the committee on Health and Aging**

## **Sub. S.B. No. 319 – Senator Eklund**

To revise certain laws regarding the regulation of drugs, the practice of pharmacy, and the provision of addiction services.

**To the committee on Finance**

## **Am. Sub. S.B. No. 329 – Senators Jordan, Faber**

To require standing committees of the General Assembly to establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet.

**To the committee on Government Accountability and Oversight**

# Ohio House of Representatives



## **Sub. S.B. No. 331 – Senator Peterson**

To regulate the sale of dogs from pet stores and dog retailers, to require the Director of Agriculture to license pet stores, to revise the civil penalties applicable to dog breeders and other specified entities, and to make an appropriation.

**To the committee on Finance**

## **Sub. S.B. No. 332 – Senators Jones, Tavares**

To provide for the implementation of recommendations made by the Commission on Infant Mortality and to authorize pharmacists to administer by injection certain prescribed drugs.

**To the committee on Finance**

# Ohio House of Representatives



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Ron Amstutz

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Fred Strahorn

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Clifford A. Rosenberger

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Nickie J. Antonio

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Andrew Brenner

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Kevin Boyce

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Bill Hayes

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Nicholas Celebrezze

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Ron Hood

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Daniel Ramos

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Stephanie Kunze

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Dorothy Pelanda

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Scott Ryan

Representative Celebrezze submitted the following report:

The standing committee on Rules and Reference to which was referred Sub. H. B. No. 261- Representatives Grossman, Huffman, et. al., having had the same under consideration,

reports it back and recommends its passage.  
 reports it back with the following amendment(s) and recommends it passage when so amended.  
 reports it back as a substitute bill and recommends its passage.  
 X reports it back and recommends its re-referral to the committee on Finance

RE: Trauma centers-designate levels

YES	NO
Amstutz	
Antonio	
Boyce	
Brenner	
Celebrezze	
Hayes	
Hood	
Kunze	
Pelanda	
Ryan	

**From:** Blessing, Heather  
**Sent:** Monday, November 14, 2016 2:03 PM  
**Subject:** 2016-11-14 Controlling Board Actions  
**Attachments:** 2016-11-14 Controlling Board Agenda.pdf

Dear Republican Members and Staff:

A list of Controlling Board actions from the Monday, November 14, 2016 meeting is attached and available online (<https://www.ecb.ohio.gov/Public>ShowAgenda.aspx>).

All other items were approved without objection. The next meeting of the Controlling Board is scheduled for Monday, December 5, 2016 at 1:30PM in the North Hearing Room of the Statehouse. Please contact me if you have any questions or need of additional information.

Sincerely,  
Heather Blessing

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**Heather N. Blessing, Esq.**  
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Office of Speaker Clifford A. Rosenberger  
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**CONTROLLING BOARD  
OHIO OFFICE OF BUDGET AND MANAGEMENT**

**November 14, 2016 Agenda**

*The meeting of the Controlling Board will be held at 1:30 p.m.,  
in the North Hearing Room of the Statehouse Senate Office Building.*

- 1 SOS0100054 -17 The Secretary of State's Office respectfully requests Controlling Board approval to establish an Appropriation Line Item (ALI), and appropriation authority in the amount of \$1,309,070.39 for FY 2017 in Fund 5990, ALI 050628, Litigation Related Expenses to pay half the court ordered attorney fees and expenses in the cases of the Northeast Ohio Coalition for the Homeless (NEOCH), et al., v. Husted, et al., and Service Employees International Union (SEIU), Local 1, et al., v. Husted, et al.
- 2 SOS0100055 -17 The Secretary of State's Office respectfully requests Controlling Board approval to establish an Appropriation Line Item (ALI), and appropriation authority in the amount of \$700,000.00 for FY 2017 in Fund 5990, ALI 050629, Statewide Voter Registration Database, to pay expenses related to the maintenance and support of the SWVRD.
- 3 UAK0100147 -17 University of Akron respectfully requests Controlling Board approval to release capital appropriation in the amount of \$20,840.00 from Fund 7034, ALI C25000 (Basic Renovations - Main), In FY17, for professional design services for the Basic Renovations - Buchtel Hall HVAC Replacement project in Akron, Summit County.
- 4 UCN0100153 -17 University of Cincinnati respectfully requests Controlling Board approval to release capital appropriation in the amount of \$100,900.00 from Fund 7024, ALI C266A3 (Mid-Infrared Optical Micro-Tax ), In FY17, and to waive competitive selection to purchase a 9T Liquid Cryogen-Free Superconducting Magnet System from Cryomagnetics, Inc., Oak Ridge, TN, for the NSF-MRI: Development of a Mid-Infrared Optical Microscope for Investigation of Femtosecond Dynamics In Single Large Spin-Orbit Semiconductor Nanostructures In Cincinnati, Hamilton County.
- 5 CTI0100115 -17 Columbus State Community College respectfully requests Controlling Board approval to release capital appropriation in the amount of \$45,749.85 from Fund 7034, ALI C38420 (Technology Upgrades), In FY17, for the Student Study Areas project, a part of the Technology Upgrades project in Columbus, Franklin County.
- 6 KSU0100263 -17 Kent State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$19,846.00 from Fund 7034, ALI C27008 (Basic Renovations Tuscarawas), In FY17, for the Tuscarawas Founders Hall Cooling Tower Replacement project in New Philadelphia, Tuscarawas County.

7    [OSU0100842 -17](#)    The Ohio State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$27,015.00 from Fund 7034, ALI C315DP (HVAC Repair & Replacements), in FY17, and an agency released competitive opportunity per R.C. 127.162 in the amount of \$27,015.00 to amend the contract with Karpinski Engineering, Inc., Columbus, Franklin County, for Engineering Services for the Bricker HVAC Repair and Replacements project in Columbus, Franklin County.

8    [OSU0100844 -17](#)    The Ohio State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$24,500.00 from Fund 7034, ALI C315DM (Roof Repair and Replacement), in FY17, and for an agency released competitive opportunity per R.C. 127.162 in the amount of \$24,500.00 to contract with CTL Engineering Inc., Columbus, Ohio, Franklin County for additional professional engineering services for the Roof Repair and Replacement project in Columbus, Franklin County.

9    [OSU0100845 -17](#)    The Ohio State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$119,025.00 from Fund 7034, ALI C315FI (Asphalt Repairs - Marion), in FY17, and an agency released competitive opportunity per R.C. 127.162 in the amount of \$118,025.00 to contract with The Kleingers Group, Westerville, Franklin County, for professional design services for the Marion-Asphalt Repair and Replacement project in Marion, Marion County.

10    [OSU0100846 -17](#)    The Ohio State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$6,300,000.00 from Fund 7034, ALI C315DE (Ohio Library & Info Network), in FY17, and to waive competitive selection to purchase electronic journals and citations from various vendors for the Library Access Consolidation System project in Columbus, Franklin County.

11    [OSU0100847 -17](#)    The Ohio State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$992,275.50 from Fund 7034, ALI C315H3 (Dark Fiber), in FY17, and an agency released competitive opportunity per R.C. 127.162 in the amount of \$462,750.00 to contract with AT&T, Columbus, Ohio, to purchase equipment for the OARnet Network Equipment project in Columbus, Franklin County.

12    [OSU0100848 -17](#)    The Ohio State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$575,678.00 from Fund 7034, ALI C315H3 (Dark Fiber), in FY17, and an agency released competitive opportunity per R.C. 127.162 in the amount of \$106,250.00 to contract with AT&T, Columbus, Ohio, to purchase equipment for the OARnet Network Equipment project in Columbus, Franklin County.

13    [UTO0100229 -17](#)    University of Toledo respectfully requests Controlling Board approval to release capital appropriation in the amount of \$50,400.00 from Fund 7034, ALI C34086 (Fiber Optic Data Closet Upgrades), in FY17, and an agency released competitive opportunity per R.C. 127.162 in the amount of \$48,900.00 for JDRM Engineering Inc., Sylvania, Ohio, for professional engineering services for the Fiber Optic Data Closet Upgrades project in Toledo, Lucas County.

14 YSU0100124 -17 Youngstown State University respectfully requests Controlling Board approval to transfer capital appropriation in the amount of \$21,780.00 from Fund 7034, ALI C34521 (Masonry Restoration) to Fund 7034, ALI C34535 (Building Exterior Repairs) and to release capital appropriation in the amount of \$54,730.00 from Fund 7034, ALI C34535 (Building Exterior Repairs), in FY17, for the Building Exterior Renovation project in Youngstown, Mahoning County.

15 BOR0100363 -17 The Department of Higher Education respectfully requests Controlling Board approval to release capital appropriation in the amount of \$146,344.34 from Fund 7034, ALI C23502 (Research Facility Action and Investment Funds) and to transfer capital appropriation in the amount of \$268,800.50 from Fund 7034, ALI C23502 (Research Facility Action and Investment Funds) to various appropriation line items, in FY17, for the state match portion of Action Fund projects.

16 BOR0100366 -17 The Department of Higher Education respectfully requests Controlling Board approval to transfer capital appropriation in the amount of \$6,300,000.00 from Fund 7034, ALI C23516 (Ohio Library and Information Network) to The Ohio State University, Fund 7034, ALI C315DE (Ohio Library and Information Network), in FY17, for the Ohio Library and Information Network Project in Columbus, Franklin County.

17 BOR0100367 -17 The Department of Higher Education respectfully requests Controlling Board approval to transfer capital appropriation in the amount of \$1,567,954.00 from Fund 7034, ALI C23532 (OARnet) to The Ohio State University Fund 7034, ALI C315H3 (Dark Fiber), in FY17, for the OARnet Network Equipment project in Columbus, Franklin County.

18 ADJ0100394 -17 The Adjutant General's Department respectfully requests Controlling Board approval to release capital appropriations in the amount of \$130,518.60 in Fund 3420, ALI C74539, Renovations and Improvements - Federal to replace the HVAC system and complete interior renovations in Building 3000 at the Camp Perry Joint Training Center located in Port Clinton (Ottawa County).

19 DAS0100889 -17 The Department of Administrative Services respectfully requests Controlling Board approval for an agency-released competitive opportunity in the amount of \$6,000 from fund 1320, ALI 100631 (DAS Building Management) in FY 2017 to amend the contract with Sauer Group, Inc., Columbus, Franklin County, to complete work associated with the replacement of sediment separators in the cooling system at the Vern Riffe Center for Government and the Arts.

20 COM0100203 -17 The Department of Commerce respectfully requests Controlling Board approval to increase appropriation in FY17 for Fund 5460, ALI 800610 in the amount of \$227,711.00. The additional appropriation in Fund 5460, ALI 800610 will be used to award Firefighter 1 and Firefighter 1- Transition Training Grants to Ohio academic institutions.

21 COM0100204 -17 The Department of Commerce respectfully requests Controlling Board approval for an agency release of competitive opportunity in the amount of \$499,900.00 from fund 5460, ALI 800610 (Fire Marshal) in FY17 to contract with Doron Precision Systems of Binghamton, New York to purchase a Mobile Driving Simulation Lab with Assistance to Firefighters Grant (AFG) funding.

22 [COM0100205 -17](#) The Department of Commerce respectfully requests controlling board approval to increase appropriation in the amount of \$82,319.00 in Fund 3480, ALI 800624 (Leaking Underground Storage Tank Regulation), in FY17, for the purpose of contracting with minority business vendors to perform Responsible Party Searches.

23 [COM0100206 -17](#) The Department of Commerce respectfully requests Controlling Board approval to increase appropriation in FY17 for Fund 5460, ALI 800610 in the amount of \$500,000.00 for Assistance to Firefighters Grant (AFG). The additional appropriation in Fund 5460, ALI 800610 will allow the State Fire Marshal office to purchase a mobile driver training simulator with the grant funding.

24 [CLA0100028 -17](#) The Court of Claims respectfully requests Controlling Board approval to create a new Public Records fund, fund 5TE0, ALI 015604, for FY2017.

25 [EDU0100350 -17](#) The Ohio Department of Education respectfully requests Controlling Board approval to transfer appropriation authority in the amount of \$60,000 in Fund 6200, ALI 200615 (Educational Improvement Grants), from FY16 to FY17, for the New Skills for Youth Grant.

26 [EPA0100115 -17](#) The Environmental Protection Agency respectfully requests Controlling Board approval to increase FY17 appropriation authority in the amount of \$1,156,900 in fund 4R50, line item 715656, Scrap Tire Management for removal of open-dumped scrap tires, scrap tire program costs, and grants to support Ohio Department of Health efforts to prevent outbreaks of mosquito-borne viruses.

27 [EXP0100472 -17](#) Expositions Commission requests Controlling Board approval to enter into entertainment and related contracts for the 2017 Ohio State Fair and to approve a total budget of \$2,268,000.00, from fund 5060, ALI 723601 (Operating Expenses), in FY17, for such contracts.

28 [EXP0100473 -17](#) The Expositions Commission respectfully requests Controlling Board approval to release capital funds in the amount of \$6,800.00 from fund 7026, ALI C72312 (Equipment Purchases and Renovations) in FY17 and an agency released competitive opportunity to pay Dell Fixtures, 321 Dering Avenue, Columbus, Ohio, Franklin County for the purchase of four display cases for the Creative Arts Department at the Ohio Expo Center.

29 [EXP0100474 -17](#) The Expositions Commission respectfully requests Controlling Board approval to release capital funds in the amount of \$5,598.00 from fund 7026, ALI C72312 (Renovations and Equipment Replacement), in FY17, to pay J.D. Equipment, London, Ohio, Madison County for purchase of two new snowblowers for use at the Ohio Expo Center.

30 [JFS0100402 -17](#) The Ohio Department of Job and Family Services (ODJFS) respectfully requests Controlling Board approval to transfer appropriation authority from SFY 2016 to SFY 2017 in the amount of \$892,043.48 in fund 3AW0, ALI 600675.

31 [DMH0100620 -17](#) The Department of Mental Health & Addiction Services respectfully requests Controlling Board approval for an agency released competitive opportunity in the amount of \$200,000 in FY17, from Fund 3240, ALI 336605 (Medicaid/Medicare), to contract with LocumTenens.Com LLC, Alpharetta, GA, to refer locum psychiatrist(s) to Northcost Behavioral Healthcare, for psychiatric locum tenen care for patients residing in that facility.

32 [DMR0100372 -17](#) The Department of Developmental Disabilities (DODD) respectfully requests Controlling Board approval to release capital funds in the not-to-exceed amount of \$8,161,611.67 from fund 7300, ALI C59004 (Community Assistance Projects), in FY17 for community capital assistance projects in various cities and counties statewide.

33 [DMR0100373 -17](#) The Department of Developmental Disabilities respectfully requests Controlling Board approval for an agency released competitive opportunity in the amount of \$70,170 in FY17 from fund 3250, ALI 322612 (Community Social Service Programs) to contract with The Research Institute at Nationwide Children's Hospital and the University Hospitals Cleveland Medical Center to educate families and hospital staff, and to make referrals for children potentially eligible for Early Intervention Services.

34 [DMR0100374 -17](#) The Department of Developmental Disabilities respectfully requests Controlling Board approval to waive competitive selection in the amount of \$79,350, from fund 3A40, ALI 653604 (DC & ICF/IID Program Support) for FY17 to contract with University of Massachusetts Medical School, in Charlestown, Massachusetts to modify the existing University of Massachusetts Random Moment Times Study (RMTS) software system used by agency.

35 [DMR0100375 -17](#) The Department of Developmental Disabilities (DODD) respectfully requests Controlling Board approval to increase appropriation authority in the amount of \$350,000 for FY17 in fund 2210, line item 322620 Supplement Service Trust.

36 [DNR0101202 -17](#) The Department of Natural Resources respectfully requests Controlling Board approval for an agency released competitive opportunity in the amount of \$89,200.00 from Fund 3B50, ALI 725645 in FY17, to enter into a contract with Lanning Mechanical, LLC, 17548 Bobo Rd., Guysville, Ohio 45735, Athens County, for heating and cooling service work for the Zaleski ODNR Complex office located in Vinton County.

37 [DNR0101214 -17](#) The Department of Natural Resources respectfully requests Controlling Board approval to release capital appropriations in the amount of \$250,000.00 from Fund 7086, ALI C725A7 (Coop Funding for Boating Fac), in FY17, which includes an agency released competitive opportunity per ORC 127.162 to contract with ms consultants, inc. to provide investigative, design, and construction administration services in order to address small to medium-sized (approximately \$10,000 to \$500,000) watercraft projects at ODNR facilities statewide.

38 [DNR0101215 -17](#) The Department of Natural Resources respectfully requests Controlling Board approval to transfer \$87,866.00 from Fund 7031, ALI C725N5 (Wastewater/Water Upgrades) to Fund 7031, ALI C725K0 (State Park Renovations/Upgrading), and approval to then release capital appropriations in the amount of \$87,866.00 from Fund 7031, ALI C725K0 (State Park Renovations/Upgrading), in FY17, for improvements to the Cabin Area phone lines at Hueston Woods State Park located in College Corner, Ohio in Preble County.

39 [DNR0101217 -17](#) The Department of Natural Resources respectfully requests Controlling Board approval to release capital appropriation in the amount of \$48,295 from Fund 7031, ALI C725K0 (State Park Renovations/Upgrades), in FY 2017, for the purposes of entering into a contract with Pennoni Associates Inc. to provide design and construction administration services to construct parking lot expansions at Old Man's Cave within Hocking Hills State Park located in Logan, Ohio in Hocking County.

40 [DNR0101218 -17](#) The Department of Natural Resources respectfully requests Controlling Board approval for an agency released competitive opportunity in the amount of \$62,000.00, from fund 5310, ALI 725648 - Reclamation Supplemental Forfeiture, in FY17, to contract with Pinnacle Actuarial Resources, Inc., Bloomington, IL, to evaluate solvency of the Reclamation Forfeiture Fund.

41 [DNR0101220 -17](#) The Natural Resources respectfully requests Controlling Board approval to change the intent of \$1,000,000 of previously released funds in Fund 7031, ALI C725T3 (Healthy Lake Erie Initiative), from the Toledo Lucas County Port Authority to the City of Sandusky, Erie County, Ohio to fund Engineering, Design, and Permitting work for up to four in-water beneficial reuse/habitat restoration projects in Sandusky Bay.

42 [DPS0100447 -17](#) The Department of Public Safety, Emergency Management Agency(EMA), respectfully requests Controlling Board approval to waive competitive selection in the amount of \$33,159.11 from fund 3390, ALI 763647 (Emergency Management Assistance & Training) for FY17, to purchase software support from ESI Acquisitions, Inc. for WebEOC Software and Support for FY2017.

43 [DPS0100449 -17](#) The Department of Public Safety, State Highway Patrol, respectfully requests Controlling Board approval to release capital funds in the amount of \$7,850.00 from Fund 7036, ALI C76043 (Minor Capital Projects) pursuant to Section 227.10 of Am SB 310 for the Piqua Radio Shop Renovation project in Piqua, Miami County, project number DPS-55-15039.

44 [DRC0101534 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval to release capital appropriation in the amount of \$781,851.18 from fund 7027, ALI C50136 (General Building Renovation-Statewide), in FY17, and for an agency released competitive opportunity in the amount of \$709,400.00 for York Electric, Inc., Dayton, Montgomery County, for the Front Gate and Sally Port Upgrades project at the Lebanon Correctional Institution, Lebanon, Warren County.

45 [DRC0101535 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval to release capital appropriation in the amount of \$13,142,750.00 from fund 7027, ALI C50136 (General Building Renovation-Statewide), in FY17, for the Population Management Fence project at various Institutions.

46 [DRC0101536 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval to release capital appropriation in the amount of \$1,139,427.30 from fund 7027, ALI C50136 (General Building Renovation-Statewide), in FY17, and for an agency released competitive opportunity in the amount of \$1,035,843.00 for Blakley Corporation, Indianapolis, Indiana, for the Tuck Pointing project at the London Correctional Institution, London, Madison County.

47 [DRC0101537 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval for a waiver of competitive selection in the amount of \$219,800.00 from fund GRF, ALI 501321 (Institutional Operations), in FY17, to purchase Dialysis Machines from Baxter Health Care Corporation, Newark, New Jersey, for the Frazier Health Center at the Pickaway Correctional Institution, Orient, Pickaway County.

48 [DRC0101538 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval to release capital appropriation in the amount of \$79,450.00 from fund GRF, ALI C50136 (General Building Renovation-Statewide), in FY17, for Energy Efficiency Upgrades at the Marion Correctional Institution, Marion, Marion County.

49 [DRC0101539 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval for an agency released competitive opportunity in the amount of \$162,240.00 from fund SA50, ALI 501607 (State and Non-Federal Awards), in FY17, to purchase a replacement switch gear from Bryson Tucker Electric LLC, Toledo, Lucas County, for the Toledo Correctional Institution, Toledo, Lucas County.

50 [DRC0101540 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval to release capital appropriation in the amount of \$300,776.70 from fund 7027, ALI C50136 (General Building Renovation-Statewide), in FY17, for the HVAC System Replacement project at the Correctional Reception Center, Orient, Pickaway County.

51 [DRC0101541 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval for an agency released competitive opportunity in the not-to-exceed amount of \$70,000.00 from fund 2000, ALI 501607 (Ohio Penal Industries), in FY17, to obtain concrete from Carr Bros., Inc., Bedford, Cuyahoga County, for use by Ohio Penal Industries.

52 [SFC0100756 -17](#) The Facilities Construction Commission respectfully requests Controlling Board approval to release and transfer capital appropriation in the amount of \$13,989,386.00 from fund 7032, ALI C23002 (SCHOOL BDG PROGRAM ASSISTANCE) to C23018 (STEM Facility Assistance Program) in FY17, to fund two STEM school facility construction projects.

53 [SFC0100761 -17](#) The Ohio Facilities Construction Commission respectfully requests Controlling Board approval to release capital appropriation in the amount of \$95,880.00 from Fund 7026, ALI C23016 (Energy Conservation Projects), in FY17, and an agency released competitive opportunity in the amount of \$94,000.00 to contract with McNaughton-McKay, 2255 City Gate Drive, Columbus, OH 43219, to upgrade existing interior lighting at the Bureau of Workers Compensation, William Green Building, 30 West Spring Street, Columbus, OH 43215.

54 SFC0100762 -17 The Ohio Facilities Construction Commission respectfully requests Controlling Board approval to release capital funds in the amount of \$1,301,357.00, within fund 7032, from ALI C23002 (School Building Assistance), in FY17, for a newly funded school district construction project and two master facility plan amendments.

55 SFC0100763 -17 The Ohio Facilities Construction Commission respectfully requests Controlling Board approval to release capital appropriation in the amount of \$732,333.54 to three school districts for Corrective Action Program awards.

56 OSB0100039 -17 The Ohio State School for the Blind respectfully requests Controlling Board approval to waive competitive selection in the amount of \$54,870.00 from Fund 3100, ALI 226626, Coordinating Unit in FY17 to contract with Ms. Angela Diblilng to provide consultation services to a core early intervention team, administer functional evaluations to determine appropriate services, and provide direct in-person vision services support to address the unique needs of children who are visually impaired.

57 DOT0100534 -17 The Ohio Department of Transportation respectfully requests Controlling Board approval for an agency released competitive opportunity to amend the current contract with Davey Resource Group, Kent, OH, Portage County, in the amount of \$49,321.34, from fund 7002, ALI 771412 and 771411 (Planning and Research - Federal and State, respectively), in FY17, to provide two training courses to ODOT staff members.

58 DOT0100538 -17 Transportation respectfully requests Controlling Board approval to waive competitive selection in the amount of \$118,426.90 from fund 2120, ALI 772427 (Highway Infrastructure Bank-State), for Fiscal Year 2017 for a change order to the contract with Complete General Construction Company to increase the construction contract amount for the major reconstruction project on IR-270 in Franklin County, for soil stabilization.

59 BWC0100095 -17 The Ohio Bureau of Workers' Compensation (BWC) respectfully requests Controlling Board approval to waive competitive selection in the amount of \$68,750 from fund 7023, ALI 855409 (Administrative Services), for FY2017 to contract with Ezra Penland Actuarial Recruitment, Chicago, Illinois, to perform Executive Search services for interested and highly qualified candidates for the position of Director of Actuarial Analysis and / or Manager of Research and Reserves.

60 DYS0100636 -17 The Department of Youth Services respectfully requests Controlling Board approval to release capital funds in the amount of \$3,469,811.00 from fund 7028, ALI C47003 (Community Rehabilitation Centers), in FY17, for the General Renovations & Maintenance Repair Projects at the 12 Community Corrections Facilities located throughout the State.

61 DVS0100109 -17 The Department of Veterans Services respectfully requests Controlling Board approval to award an agency released competitive opportunity in the amount of \$79,000 from fund 3BX0, ALI 900609 (Medicare Services) in FY17 to ECS Solutions, Tiffin, Seneca County, to provide billing services to the Ohio Veterans Homes. This amount consists of \$52,000 for the new contract and \$27,000 from a previous contract.

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**State of Ohio, Controlling Board**  
30 East Broad Street, 34th Floor Columbus, Ohio 43215-3457 (614) 466-5721 FAX:(614) 466-3813

**From:** Finance Committee  
**Sent:** Tuesday, November 15, 2016 4:57 PM  
**To:** Stepp, Taylor  
**Subject:** Revised 1X - Finance Committee Notice 11/16/16  
**Attachments:** 11.16.2016 Finance Committee Notice.pdf

## \*\*Changes in Red\*\*

### ANNOUNCEMENT OF COMMITTEE MEETING

**COMMITTEE:** Finance  
**CHAIR:** Ryan Smith  
**DATE:** Wednesday, November 16th, 2016  
**TIME:** 9:00 AM  
**ROOM:** Room 313

### AGENDA

<u>BILL</u>	<u>SPONSOR</u>	<u>TITLE</u>	<u>STATUS</u>
HB 583	Rep. Becker	Limit applicability of Public Employee Collective Bargaining Act	Pos. Re-referral
SB 235	Sen. Coley and Sen. Beagle	Industrial/commercial development-tax exempt until construction begins	2nd Hearing
HR 282	Rep. Howse and Ramos	To support efforts to ensure that students from Ohio have access to debt-free higher education at public colleges and universities	All Testimony
HB 492	Rep. Rogers and Rep. Driehaus		1st Hearing Spon. Testimony
HJR 5	Rep. Lepore-Hagan	Supplemental State Capital Improvements Pilot Program	1st Hearing Spon. Testimony
			1st Hearing

	And Rep. Smith, K.	Spon. Testimony
HB 67	Proposing to enact Section 2t of Article VIII of Constitution of the State of Ohio to permit the issuance of general obligation bonds to fund sewer and water capital improvements	
	Rep. Ramos	1st Hearing
	Medical research grants- terminal, chronic, incurable diseases	Spon. Testimony

#### **Additional Information**

**\*\*Changes in Red\*\***



**ANNOUNCEMENT OF COMMITTEE MEETING**

**COMMITTEE:** Finance  
**CHAIR:** Ryan Smith  
**DATE:** Wednesday, November 16th, 2016  
**TIME:** 9:00 AM  
**ROOM:** Room 313

**AGENDA**

<u>BILL</u>	<u>SPONSOR</u>	<u>TITLE</u>	<u>STATUS</u>
HB 583	Rep. Becker	Limit applicability of Public Employee Collective Bargaining Act	Pos. Re-referral
SB 235	Sen. Coley and Sen. Beagle	Industrial/commercial development-tax exempt until construction begins	2nd Hearing All Testimony
HR 282	Rep. Howse and Ramos	To support efforts to ensure that students from Ohio have access to debt-free higher education at public colleges and universities	1st Hearing Spon. Testimony
HB 492	Rep. Rogers and Rep. Driehaus	Supplemental State Capital Improvements Pilot Program	1st Hearing Spon. Testimony
HJR 5	Rep. Lepore-Hagan and Rep. Smith, K.	Proposing to enact Section 2t of Article VIII of Constitution of the State of Ohio to permit the issuance of general obligation bonds to fund sewer and water capital improvements	1st Hearing Spon. Testimony

HB 67

Rep. Ramos

Medical research grants-terminal,  
chronic, incurable diseases

1st Hearing  
Spon. Testimony

**Additional Information**

**From:** Sagraves, Ali  
**Sent:** Wednesday, November 16, 2016 12:59 PM  
**To:** Sagraves, Ali  
**Subject:** Ohio House Rules & Reference Committee Reports - November 16  
**Attachments:** CongratsReport11-16-16.pdf; H.B. 583 re-referral report.pdf; IntroReferralReport11-16-16.pdf; ReferralReport11-16-16.pdf; RulesReport11-16-16.pdf

Attached please find the reports approved during today's House Rules and Reference committee, including the Rules Report which lists the bills scheduled for third consideration on the calendar for tomorrow's session.

Sincerely,

***Ali Sagraves***

Special Assistant to the Clerk/Committee Clerk  
Ohio House of Representatives  
1 Capitol Square  
Columbus, Ohio 43215  
614-466-3300  
[Ali.Sagraves@ohiohouse.gov](mailto:Ali.Sagraves@ohiohouse.gov)

Ohio House of Representatives



Rules and Reference Committee

Congratulatory Report

November 16, 2016

Representative Celebreczze reported for the Rules and Reference committee recommending that the following House Resolution be read by title only and approved:

**H. R. No. 543 - Representative Brenner**  
Honoring Orange Township on its Two Hundredth Anniversary.

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Ron Amstutz, Chair

Representative Celebrezze submitted the following report:

The standing committee on Rules and Reference to which was referred H. B. No. 583-  
Representative Becker, et. al., having had the same under consideration,

reports it back and recommends its passage.  
 reports it back with the following amendment(s) and recommends its passage when so amended.  
 reports it back as a substitute bill and recommends its passage.  
 reports it back and recommends its re-referral to the committee on Commerce and Labor

RE: Limit applicability of Public Employee Collective Bargaining Act

YES	NO
Amstutz	
Strahorn	
Antonio	
Boyce	
Brenner	
Celebrezze	
Hayes	
Hood	
Kunze	
Pelandra	
Ramos	
Ryan	

# Ohio House of Representatives



## Rules and Reference Committee

Ron Amstutz, Chair

## Introduction and Referral Report

**November 16, 2016**

Representative Celebrezze reported for the Rules and Reference committee recommending that the following House Concurrent Resolution be introduced and referred to the following committee for consideration:

**H.C.R. No. 38 – Representatives Conditt, Dever**

To express support for the Proton Therapy Center at Cincinnati Children's Hospital and to urge that it be recognized by the National Cancer Institute as a Designated Cancer Center.

**To the committee on Health and Aging**

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Ron Amstutz, Chair

# Ohio House of Representatives



## Rules and Reference Committee

Ron Amstutz, Chair

### Referral Report

November 16, 2016

Representative Celebreeze reported for the Rules and Reference committee recommending that the following House Bills and House Joint Resolutions be considered for the second time and referred to the following committees for consideration:

**H.B. No. 612 – Representative Ryan**

To exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster.

**To the committee on Ways and Means**

**H.B. No. 613 – Representative Amstutz**

To revise and renew the Sunset Review Law, to require that a Sunset Review Committee be convened to function during each odd-numbered General Assembly, and to declare an emergency.

**To the committee on Government Accountability and Oversight**

**H.B. No. 614 – Representatives Patterson, Perales**

To allow airport and port authorities to conduct meetings by video conference and teleconference.

**To the committee on Transportation and Infrastructure**

**H.B. No. 615 – Representative Johnson, G.**

To allow a military veteran license plate to include the names of multiple military operations on one license plate.

**To the committee on Armed Services, Veterans Affairs, and Public Safety**

**H.B. No. 616 – Representative Amstutz**

For the purpose of enacting a new banking law for the State of Ohio.

**To the committee on Financial Institutions, Housing, and Urban Development**

**H.B. No. 617 – Representative LaTourette**

To require the Director of Administrative Services to review referred agency actions and determine whether they are consistent with state and federal antitrust law; to create the State Vision and Hearing Professionals Board, the State Behavioral Health Professionals Board, and the State Physical Health Services Board; to abolish the State Board of Optometry, the Ohio Optical Dispensers Board, the Hearing Aid Dealers and Fitters Licensing Board, and the Board of Speech-Language Pathology and Audiology and transfer those boards' duties to the State Vision and Hearing Professionals Board; to abolish the Chemical Dependency Professionals Board,

# Ohio House of Representatives



the Counselor, Social Worker, and Marriage and Family Therapist Board, and the State Board of Psychology and transfer those boards' duties to the State Behavioral Health Professionals Board; to abolish the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board and the State Board of Orthotics, Prosthetics, and Pedorthics and transfer those boards' duties to the State Physical Health Services Board; to abolish the Ohio Board of Dietetics and transfer its duties to the State Medical Board; to abolish the Ohio Respiratory Care Board and transfer its duties to the State Board of Pharmacy and the State Medical Board; to make other changes regarding licensing and regulating certain health professionals; and to make an appropriation.

**To the committee on Government Accountability and Oversight**

**H.B. No. 618 – Representatives Schuring, Reece**

To provide for the expungement of official records related to the apprehension, arrest, criminal charging, or trial of a person based on mistaken identity.

**To the committee on Community and Family Advancement**

**H.J.R. No. 9 – Representatives Amstutz, Curtin**

Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to adopt the recommendation of the Ohio Constitutional Modernization Commission relative to the issuance of general obligation bonds to pay the costs of facilities for mental health and developmental disabilities, parks and recreation, and housing of agencies of state government.

**To the committee on Government Accountability and Oversight**

**H.J.R. No. 10 – Representatives Amstutz, Curtin**

Proposing to enact Section 18 of Article VIII and to repeal Sections 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2j, and 2k of Article VIII of the Constitution of the State of Ohio to adopt the recommendation of the Ohio Constitutional Modernization Commission that obsolete bond-authorizing provisions be eliminated.

**To the committee on Government Accountability and Oversight**

**H.J.R. No. 11 – Representatives Amstutz, Curtin**

Proposing to amend Section 2 and to repeal Sections 7, 8, 9, 10, and 11 of Article VIII of the Constitution of the State of Ohio to adopt the recommendation of the Ohio Constitutional Modernization Commission that certain provisions concerning the sinking fund and the Sinking Fund Commission be eliminated.

**To the committee on Government Accountability and Oversight**

**H.J.R. No. 12 – Representatives Amstutz, Curtin**

Proposing to repeal Sections 19 and 22 of Article IV of the Constitution of the State of Ohio to adopt the recommendation of the Ohio Constitutional Modernization Commission to eliminate the authority of the General Assembly to establish courts of conciliation and to eliminate the authority of the Governor to appoint a supreme court commission.

**To the committee on Government Accountability and Oversight**

# Ohio House of Representatives



## **Rules and Reference Committee**

Ron Amstutz, Chair

### **Rules Report**

The House Rules and Reference committee met on Wednesday, November 16, 2016, at 12:00 p.m.

The following matters, being properly before the committee and pursuant to House Rule 66, were scheduled for third consideration on the House calendar in the order indicated below for the date indicated below.

Thursday, November 17, 2016

**Sub. H.B. No. 520 Schuring, Ramos** – To revise the law governing the state's public retirement systems.

**Sub. H.B. No. 270 Dever, Pelanda, et al.** – To provide that causing or contributing to the death of another person as a result of the offender's sale, distribution, dispensation, or administration of a controlled substance or controlled substance analog is a violation of the offense of involuntary manslaughter and to make this offense a strict liability offense.

**S.B. No. 225 Bacon, et al.** – To designate the first day of June as "Hypoparathyroidism Awareness Day."

**From:** Kasych, Shawn

**Sent:** Monday, November 28, 2016 8:40 PM

**To:** Sarko, Alyssa

**Subject:** Emailing: HB 487 Bill Brief, S.B. 232 (SEN. BACON) To amend the law related to transfer on death designation deeds and affidavits, HB 9 (Boose) - Bill Briefing, \_Bill Brief HB 476 GAO, HB 148 Bill Brief, HB 580 - One Health Awareness Month

**Attachments:** HB 487 Bill Brief.docx; S.B. 232 (SEN. BACON) To amend the law related to transfer on death designation deeds and affidavits.docx; HB 9 (Boose) - Bill Briefing.docx; \_Bill Brief HB 476 GAO.pdf; HB 148 Bill Brief.docx; HB 580 - One Health Awareness Month.docx

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HB 487 Bill Brief

S.B. 232 (SEN. BACON) To amend the law related to transfer on death designation deeds and affidavits

HB 9 (Boose) - Bill Briefing

Bill Brief HB 476 GAO

HB 148 Bill Brief

HB 580 - One Health Awareness Month

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**H.B. 487 (LATOURRETTE, ROEGLER)**  
State Seal of Biliteracy – attach to HS transcripts

**House Co-Sponsors:** Blessing, Boccieri, Ginter, Perales, Smith, K.  
**Senate Co-Sponsors:** N/A

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**Bill History**

- 3/8/2016 – Introduced
- 5/24/2016 – Favorably reported (19-0) as amended from the House Education Committee (3<sup>rd</sup> Hearing)

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• Martha Halemba (Hudson City Schools)</li><li>• Dr. Bryan Drost</li><li>• Dr. Brenda Custodio (Teachers of English to Speakers of Other Languages (TESOL))</li><li>• Lauren Racela</li><li>• Martha Castaneda (Miami University)</li><li>• Annika Margevich</li><li>• Kathleen Greer</li><li>• Stellan Riffle</li><li>• Angela Gardner (Ross High School) - <i>written</i></li><li>• Karina Boelter (Hudson City Schools) - <i>written</i></li><li>• Dr. Deborah Robinson</li><li>• Amber Jacks (Pickerington City Schools) - <i>written</i></li><li>• Brian Carbaugh - <i>written</i></li><li>• Jonathan Harris (St. Gabriel Consolidated School) – <i>written</i></li><li>• Julie Frye (Lexington High School) – <i>written</i></li></ul>		

<ul style="list-style-type: none"><li>• Lucas Hoffman – <i>written</i></li><li>• Maria Sramek – <i>written</i></li></ul> <ul style="list-style-type: none"><li>• Maria Pulcini (Joint National Committee for Languages – National Council for Languages and International Studies (JNCL-NCLIS)) – <i>written</i></li><li>• Maria Schiele (Hudson City Schools) – <i>written</i></li><li>• Diane Ceo-DiFrancesco (University of Xavier) – <i>written</i></li><li>• Dr. Roland Coloma (Miami University) – <i>written</i></li></ul>		
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### **Key Provisions**

- Requires the State Board of Education to establish the State Seal of Biliteracy, which may be attached or affixed to the transcripts of qualifying public and nonpublic high school students and to the diplomas of homeschooled students, to demonstrate the attainment of a high level of proficiency in one or more languages in addition to English sufficient for meaningful use in college and a career
- Requires each district and school to identify students who have completed the requirements to earn a State Seal of Biliteracy
- Prohibits a district or school from charging a fee for assigning a State Seal of Biliteracy on a student's transcript, but permits a student to be required to pay a fee to demonstrate proficiency in a language

### **Additional Information**

- AM2117 was accepted in House Education Committee on May 24, 2016

- Allow homeschool students to receive the Seal of Biliteracy and give those parents authority to affix the seal on their student's (child's) transcript.
- **Policy Advisor:** Nick Derksen, 614.466.2361 (Office); 937.602.2174 (Cell); [nick.derksen@ohiohouse.gov](mailto:nick.derksen@ohiohouse.gov)

**S.B. 232 (SEN. BACON)**

To amend the law related to transfer on death designation deeds and affidavits

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**Bill History**

- 4/12/2016 — Senate Floor Vote (33-0)
- 5/24/2016 – House Judiciary Committee Report (12-0)
- House Floor Vote Pending

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• The Ohio State Bar Association</li><li>•</li></ul>	•	•

**Key Provisions**

- Terminates a transfer on death designation made to an owner's spouse on certain affidavits and deeds if the owner and the spouse later obtain a divorce, dissolution, or annulment.
- Provides that no descendant of an intestate inherits under the law on descent and distribution unless surviving the intestate for at least 120 hours, or unless born within 300 days after the intestate's death and living for at least 120 hours after birth.
- Prevents a person born more than 300 days after a testator's death from inheriting under the testator's will unless the will clearly provides otherwise, and specifies that if the will clearly provides for such posthumously born child to inherit, the child must be born within one year and 300 days after the testator's death.
- Prevents a settlor's child born by means of assisted reproductive technologies more than 300 days after the settlor's death from being considered the settlor's child unless the terms of the trust clearly provide otherwise.
- Provides that if the terms of a trust provide for a child born by means of assisted reproductive technologies and also provide for a time period in which the child must be born, that time period applies for the child to benefit from the trust, subject to a maximum period of five years from the settlor's death.

- Provides that if the terms of a trust provide for a child born by means of assisted reproductive technologies but do not provide for a time period in which the child must be born, the child must be born within one year and 300 days from the settlor's death in order for the child to benefit from the trust.

### **Additional Information**

- **Amendments Accepted in House Committee:**
  - Language clarifies the inheritance rights of children born with the use of assisted reproductive technologies (ART).
  - A second amendment excludes real estate brokers or salespersons from the set of laws regulating debt adjustors or debt dealers.
- **Policy Advisor:** Scott Lundregan, 466-1460,  
[Scott.Lundregan@OhioHouse.gov](mailto:Scott.Lundregan@OhioHouse.gov)

### **H.B. 9 (BOOSE)**

*To create a Tax Expenditure Review Committee for the purpose of periodically reviewing existing and proposed tax expenditures*

**House Co-Sponsors:** Blessing, Hambley, Hood, Scherer, Sprague, Strahorn, Young, Dever, Driehaus, Rogers, Anielski, Antonio, Ashford, Baker, Barnes, Brown, Buchy, Burkley, Butler, Celebreeze, Cera, Clyde, Conditt, Derickson, Dovilla, Duffey, Fedor, Green, Grossman, Hackett, Hagan, Henne, Hill, Huffman, Johnson, T., Koehler, Kraus, Lepore-Hagan, Maag, McClain, McColley, O'Brien, M., O'Brien, S., Patterson, Perales, Phillips, Ramos, Reineke, Rutherford, Rezabek, Romanchuk, Ryan, Schuring, Sears, Smith, K., Stinziano, Sweeney, Sykes, Terhar, Thompson

**Senate Co-Sponsors:** Gardner, Peterson, Tavares, Uecker

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#### **Bill History**

- 1/28/2015 – Introduced
- 5/27/2015 – Reported (18-0) by House Ways & Means Committee (5 hearings)
- 6/24/2015 – Passed House (98-0)
- 5/25/2016 – Reported (10-0) by Senate Ways & Means (4 hearings)
- 5/25/2016 – Passed Senate (33-0)

#### **Stakeholders**

<b>Proponent</b>	<b>Opponent</b>	<b>Interested Party</b>
<ul style="list-style-type: none"><li>• Thomas Zaino, chair-elect of the Ohio Society of CPAs (OSCPA)</li><li>• Zach Schiller, research director for Policy Matters Ohio</li><li>• Jon Honeck, director of public policy and advocacy for the Center for Community Solutions</li></ul>	<ul style="list-style-type: none"><li>• <i>No witnesses have testified</i></li></ul>	<ul style="list-style-type: none"><li>• Greg Lawson, Buckeye Institute</li><li>• Dan Navin, Ohio Chamber of Commerce</li></ul>

#### **Key Provisions (Excerpted from LSC Analysis As Reported by Senate Ways & Means)**

- Creates a permanent joint legislative committee of six legislators and the Tax Commissioner or designee thereof to periodically review all existing "tax expenditures."
- Requires the committee to make recommendations to the General Assembly as to the continuation, modification, or repeal of existing tax expenditures.
- Requires any bill proposing a new or modified tax expenditure to include a statement of the objectives and intent of the tax expenditure.
- Generally subjects to Controlling Board approval purchases made by competitive sealed proposal by the Department of Administrative Services and state agencies (*\*added in Senate Ways & Means Committee*)

**Additional Information**

- **Changes in House Ways & Means Committee:**
  - The House committee accepted a substitute bill on 5/5/15 that makes the following changes:
    - It changes the definition of “tax expenditure” to narrow it so it is the same as the definition in an earlier tax expenditure report.
    - The substitute bill still keeps the Tax Expenditure Review Committee to nine members, but specifies those are to include three chosen by the House speaker with consent from the minority leader; three chosen by the Senate president with consent from the minority party, and no more than two from the same party from either chamber; two members from the private sector who have experience in taxes and would be chosen by the speaker and president; and one public member appointed by the governor. The tax commissioner or a designee would serve as a nonvoting member.
    - The committee would pick a chairman, who would be a member of the Legislature. The term-length of the chairman would be for two years and would switch back and forth between members of each chamber.
    - The committee would be staffed by caucus staff for the chairman of the committee.
    - The report would be due July 1 of each even-numbered year
  - The House committee accepted two amendments on 5/26/15
    - AM0618 – Including the tax expenditure review committee’s report along with the governor’s budget.
    - AM0684 – Changes to committee membership, LSC staff assistance, and public testimony.
- **Changes in Senate Ways & Means Committee:** The committee accepted AM2570 (Coley), which would prohibit the Department of Administrative Services from making purchases by sealed competitive proposals without prior approval of the Controlling Board.
- **Policy Advisor:** Heather Blessing, 614.466.9194 (Office); 614.352.5819 (Cell); [heather.blessing@ohiohouse.gov](mailto:heather.blessing@ohiohouse.gov)

*Updated November 16, 2016*

**H.B. 476 SCHURING**  
**TO PROHIBIT A STATE AGENCY FROM CONTRACTING WITH A COMPANY THAT IS BOYCOTTING**  
**ISRAEL OR DISINVESTING FROM ISRAEL**

**House Co-Sponsors:** Speaker Rosenberger, Strahorn, Amstutz, Boyce, Brown, Celebreeze, Cera, Derickson, Driehaus, Hayes, McClain, Slesnick, Sprague, Buchy

**Bill History**

- 02/24/2016 – Introduced
- 04/13/2016 – Referred to Government Accountability and Oversight
- 05/18/2016 – **REPORTED** (9-1, Curtin; 5 Hearings)

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• Seth Metcalf, Deputy Treasurer</li><li>• Eric D. Fingerhut, Hillel International</li></ul>	<ul style="list-style-type: none"><li>• Numerous student/citizen activists and organizations</li></ul>	

**Key Provisions**

- Prohibits state agencies from entering into or renewing contracts with companies for certain supplies and services if the companies do not declare that they are not boycotting or disinvesting from Israel
- Requires companies to include a term in contracts with state agencies declaring that the company is not boycotting or disinvesting in Israel.
- Requires companies to include a term in contracts with state agencies agreeing not to boycott or divest from Israel for the duration of the contract.
- Establishes that companies are boycotting Israel if they refuse to engage in business or commercial activity with the Israeli government, a company operating in Israel, or a company operating in territory controlled by Israel to protest the Israeli government
- Establishes that companies are divesting from Israel if the Company is withdrawing invested funds from the Israeli government or a company operating in or controlled by Israel to protest the Israeli government

**Additional Information**

- **Policy Advisor:** Dustin Russell, Majority Deputy Policy Director, 466-2179, [dustin.russell@ohiohouse.gov](mailto:dustin.russell@ohiohouse.gov)

**SUB. H.B. 148 (PATTERSON AND LATOURETTE)**  
**Classroom facilities assistance-school district consolidations**

**House Co-Sponsors:** Fedor, Smith, K.

**Senate Co-Sponsors:** N/A

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**Bill History**

- 4/13/2015 – Introduced
- 5/24/2016 – Favorably reported (18-1) (*NO-Hayes*) as a substitute bill from the House Education Committee (3<sup>rd</sup> Hearing)

**Stakeholders**

<b>Proponent</b>	<b>Opponent</b>	<b>Interested Party</b>
<ul style="list-style-type: none"><li>• John Manfredi (Berkshire School Board)</li><li>• Guy Munn (Newbury Board of Education)</li><li>• Jarrod Tudor (Kent State University)</li></ul>		

**Key Provisions**

- Requires the School Facilities Commission to give a school district first priority for funding for a project under the Classroom Facilities Assistance Program if that district (1) results from a transfer, merger, consolidation, or creation of a new local district that becomes effective between July 1, 2013, and June 30, 2018 and (2) has demonstrated to the Commission an efficient use of facility space.
- Specifies that, if an eligible school district results from a transfer, merger, consolidation, or creation of a new local district that takes place prior to the bill's effective date, the district's portion of the total project cost must be the required percentage of the basic project cost based on the percentile ranking of the lowest wealth district that was transferred, merged, consolidated, or existed prior to the creation of the new district.
- Permits the Commission to reduce an eligible school district's portion of the total cost of the project by 25 percentage points, provided the district's portion is at least 5%.
- Permits the Commission to reduce an eligible school district's portion of the total cost of the project by an additional 10 percentage points, provided the district's portion is at least 5%, if the district's project involves construction of a building on land owned by a state institution of higher education that is participating in the College Credit Plus Program and certain criteria are satisfied.

- Repeals a provision of existing law that requires the Commission to adopt rules providing guidelines for prioritizing facility funding for districts that voluntarily develop certain joint use agreements and permits the Commission to advance the funding priority for projects of districts that are parties to such agreements.

### **Additional Information**

- **Substitute Bill (0730-4)**: the House Education Committee accepted a substitute bill on May 24, 2016

#### **Definition of "eligible school district"**

- Specifies that a district may also be an "eligible school district" if it results from (1) the transfer of all of the territory of one or more local school districts to an adjoining local school district within the same educational service center, (2) the transfer of all of the territory of one or more local school districts to an adjoining educational service center or an adjoining city or exempted village school district, (3) the merger of two or more city, local, or exempted village school districts, or (4) the creation of a new local school district;
- Specifies that, in order to be an "eligible school district" under the bill's provisions, the transfer, merger, consolidation, or creation of a new local district from which the district results must become effective between July 1, 2013, and June 30, 2018
- Specifies that, in order to be an "eligible school district" under the bill's provisions, the district must demonstrate to the Commission an efficient use of facility space, including a reduction in the number of buildings used by students and administrative staff

#### **Classroom facilities assistance for eligible school districts**

- Requires the Commission, if it determines that a district is an eligible school district, to give that district first priority for funding for a project under the Classroom Facilities Assistance Program as such funds become available, regardless of the district's percentile ranking for that Program
- 

#### **School district portion of the total cost of the project**

- Specifies that, if an eligible school district results from a transfer, merger, consolidation, or creation of a new local district that takes effect prior to the bill's effective date, the district's portion of the total cost of the project must be the "required percentage of the basic project cost" (1% times a district's wealth percentile) based on the percentile ranking of the lowest

- wealth district that was transferred, merged, consolidated, or existed prior to the creation of the new district
- o Specifies that the Commission may reduce an eligible school district's portion of the total cost of the project by 25 percentage points, provided the district's portion is at least 5%
- o Specifies that the Commission may reduce an eligible school district's portion of the total cost of the project by an additional ten percentage points if the district's project
- o satisfies all of the following conditions, provided the district's portion is at least 5%:
  - o (1) It involves construction of a building on land owned by a state institution of higher education, and the Commission approves the project.
  - o (2) The district and the institution enter into a written agreement regarding the continued use of the institution's land by the district, and the Commission approves the agreement.
  - o (3) On the date the district and institution enter into the written agreement, the institution is participating in the College Credit Plus Program

**Guidelines for prioritizing facility funding for certain school districts**

- o Repeals a provision of existing law that (1) requires the Commission to adopt rules providing guidelines for prioritizing facility funding for districts that voluntarily develop joint use or other cooperative agreement that significantly improve the efficiency of the use of facility space within or between districts and (2) permits the Commission to advance the funding priority for projects of school districts that are parties to such agreements
- **Policy Advisor:** Nick Derksen, 614.466.2361 (Office); 937.602.2174 (Cell); [nick.derkSEN@ohiohouse.gov](mailto:nick.derkSEN@ohiohouse.gov)

**H.B. 580 (T. JOHNSON/HUFFMAN)**  
Designates November as “One Health Awareness Month”

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**Bill History**

- 11/16/16 – House Health & Aging Committee (1 Hearing), (14-0)
- 11/29/16 – House Floor Vote Scheduled

**Stakeholders**

Proponent	Opponent	Interested Party

**Key Provisions**

- Designates November as “One Health Awareness Month”

**Additional Information**

- Per Rep. Huffman’s sponsor testimony: “The One Health Concept recognizes that human health, animal health, and ecosystem health are linked and work towards improving the lives of all species-human and animal-through the integration of human medicine, veterinary medicine, and environmental science. The Centers for Disease Control estimates approximately 75% of recently emerging infectious diseases affecting people originated in animals. Recent disease outbreaks affecting people that resulted from contact with animals or other vectors include Ebola, Avian Influenza, Salmonella, and Zika virus. Promoting animal health is also important for human health in relation to the human-animal bond. Companion animals improve mental and emotional wellbeing in humans. Pet owners are less likely to suffer from stress, anxiety, panic, post-traumatic stress, and other disorders.”
- **Policy Advisor:** Lisa Griffin, 937-554-6372, lisa.griffin@ohiohouse.gov

**From:** Blessing, Heather  
**Sent:** Monday, December 5, 2016 2:47 PM  
**Subject:** 2016-12-05 Controlling Board Actions  
**Attachments:** 2016-12-05 Controlling Board Agenda.pdf

Dear Republican Members and Staff:

A list of Controlling Board actions from the Monday, December 5, 2016 meeting is attached and available online (<https://www.ecb.ohio.gov/Public>ShowAgenda.aspx>).

**Amended:**

- Item #15 (*OSU0100852-17: The Ohio State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$33,000.00 from Fund 7024, ALI C315ET (Research Portal - Project), in FY17, for the Research Portal project in Columbus, Franklin County*) was updated to correct a fund number.

**Objections**

- Item #1 (*AGO0100474 -17: The Attorney General's Office respectfully requests Controlling Board approval to transfer \$1,309,070.39 in cash and appropriation from Fund 5KM0, ALI 911614, CB Emergency Purposes to Fund R004, ALI 055631 General Holding Account to pay half of the court ordered attorney fees and expenses in the cases of the Northeast Ohio Coalition for the Homeless (NEOCH), et al., v. Husted, et al., and Service Employees International Union (SEIU), Local 1, et al., v. Husted et al.*) – was passed by a vote of 6-1 (with Sen. Coley objecting).

**Substitutions**

- Rep. Scherer was appointed to serve as designee for Rep. Smith.

All other items were approved without objection. The next meeting of the Controlling Board is scheduled for Monday, December 19, 2016 at 1:30PM in the North Hearing Room of the Statehouse. Please contact me if you have any questions or need of additional information.

Sincerely,  
Heather Blessing

\*\*\*

**Heather N. Blessing, Esq.**  
Deputy Legal Counsel / Deputy Budget Director  
Office of Speaker Clifford A. Rosenberger

Ohio House of Representatives | 77 S. High Street Columbus, 14<sup>th</sup> Floor, Ohio 43215  
Office: 614.466.9194 | Mobile: 614.352.5819 | [Heather.Blessing@ohiohouse.gov](mailto:Heather.Blessing@ohiohouse.gov)

**CONTROLLING BOARD  
OHIO OFFICE OF BUDGET AND MANAGEMENT**

**December 5, 2016 Agenda**

*The meeting of the Controlling Board will be held at 1:30 p.m.,  
in the North Hearing Room of the Statehouse Senate Office Building.*

- 1 AGO0100474 -17 The Attorney General's Office respectfully requests Controlling Board approval to transfer \$1,309,070.39 in cash and appropriation from Fund 5KM0, ALI 911614, CB Emergency Purposes to Fund R004, ALI 055631 General Holding Account to pay half of the court ordered attorney fees and expenses in the cases of the Northeast Ohio Coalition for the Homeless (NEOCH), et al., v. Husted, et al., and Service Employees International Union (SEIU), Local 1, et al., v. Husted et al.
- 2 AUD0100032 -17 The Auditor of State's Office respectfully requests Controlling Board approval for a waiver of competitive selection in the total amount of \$188,170, with \$150,536 from Fund 4220, ALI 070602 (Public Audit Expense - Local Govts) and \$37,634 from Fund 1090, ALI 070601 (Public Audit Expense - Instrastate), in FY17, to renew the teammate electronic workpaper software maintenance and support license with Wolters Kluwer Financial Services.
- 3 AUD0100033 -17 The Auditor of State respectfully requests Controlling Board approval for a waiver of competitive selection in the amount of \$222,500.00 from fund 5840, ALI 070603 (Auditor Training Expense), in FY17, to contract with Central Ohio Chapter (COC) Association of Certified Fraud Examiners, Columbus, Franklin County, for co-sponsorship of 2017 Emerging Trends Fraud Conference.
- 4 AUD0100034 -17 The Auditor of State's Office respectfully requests Controlling Board approval to increase appropriation in the amount of \$3,134,000 in fund 6750, ALI 070605 (Uniform Accounting Network), in FY17, to replace computer hardware for the Uniform Accounting Network clients. There are currently 1,935 local governmental entities that use UAN. \$3,134,000 is inclusive of computer hardware, software, installation, data security, and antivirus software.
- 5 UAK0100148 -17 University of Akron respectfully requests Controlling Board approval to release capital appropriation in the amount of \$61,795.00 from Fund 7034, ALI C25000 (Basic Renovations-UAPD Relocation and Renovation) and an agency released competitive opportunity per R.C. 127.162 to contract with DS Architecture, Kent, Portage County, in FY17, to provide professional design services for the Basic Renovation - UAPD Relocation and Renovation project in Akron, Summit.
- 6 BGU0100127 -17 Bowling Green State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$27,151.00 from Fund 7034, ALI C24051 (Campus-wide HVAC Upgrades), in FY17, for the Campus-wide HVAC Upgrades project in Bowling Green, Wood County.

7 CCC0100103 -17 Cuyahoga Community College respectfully requests Controlling Board approval to release capital appropriation in the amount of \$59,560.00 from Fund 7034, ALI C37800 (Basic Renovations), In FY17, and agency released competitive opportunity per R.C. 127.162 to contract with CT Consultants , Inc., to provide architectural design services for the Corporate College East Parking Lot Rehabilitation, Eastern Campus, Cuyahoga County.

8 ESC0100042 -17 Edison State Community College respectfully requests Controlling Board approval to release capital appropriation in the amount of \$30,250.00 from Fund 7034, ALI C39016 (Roof Replacement), In FY17, for professional design services for the Roof Replacement - West Hall 2nd Floor project in Piqua, Miami County. (Project #ESC1700004)

9 ESC0100043 -17 Edison State Community College respectfully requests Controlling Board approval to release capital appropriation in the amount of \$19,700.00 from Fund 7034, ALI C39019 (Parking Lot Resurfacing), In FY17, for professional design services for the Parking Lot Resurfacing - Lot #1 project in Piqua, Miami County. (Project #ESC1700005)

10 LOR0100035 -17 Lorain County Community College respectfully requests Controlling Board approval to transfer capital appropriation in the amount of \$150,000.00 from Fund 7034, ALI C38311 (Workforce Based Training & Equipment) to Cuyahoga Community College's Fund 7034, ALI C37805 (Workforce Based Training & Equipment), and to release capital appropriation in the amount of \$150,000.00 from Fund 7034, ALI C38311 (Workforce Based Training & Equipment), in FY17, to purchase equipment for the RAPIDS Workforce Based Training and Equipment Program in Elyria, Lorain County.

11 OHU0100312 -17 Ohio University respectfully requests Controlling Board approval to transfer capital appropriation in the amount of \$160,740.62, which includes previously released capital appropriation in the amount of \$46,644.72, from Fund 7034, ALI C30120 (Herbold Hall Renov - Lancaster), to Fund 7034, ALI C30074 (Basic Renovations-Lancaster), and to release capital appropriation in the amount of \$24,799.00 from Fund 7034, ALI C30074 (Basic Renovations-Lancaster), In FY17, for the design phase of the Herbold Hall Roof Project at Ohio University's Lancaster Campus, Fairfield County.

12 OHU0100313 -17 Ohio University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$836,750.00 from Fund 7034, ALI C30025 (Southeast Library Warehouse), In FY17, for the construction phase of the Southeast Library Warehouse project in Athens, Athens County.

13 OSU0100849 -17 The Ohio State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$3,255,800.00 from Fund 7034, ALI C315DQ (Elevator Safety Repair and Replacements), In FY17, for the Elevator Safety Repair and Replacements project in Columbus, Ohio, Franklin County.

14 OSU0100850 -17 The Ohio State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$321,281.12 from Fund 7034, ALI C315X2 (Integrated Tech Infrastructure), In FY17, for the Integrated Tech Infrastructure project in Columbus, Franklin County.

15 OSU0100852 -17 The Ohio State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$33,000.00 from Fund 7034, ALI C315ES (Research Portal - Project), in FY17, for the Research Portal project in Columbus, Franklin County.

16 UTO0100230 -17 University of Toledo respectfully requests Controlling Board approval to release capital appropriation in the amount of \$2,769,242.26 from Fund 7034, ALI C34068 (Academic Technology and Renovation), in FY17, for the Academic Technology and Renovation project in Toledo, Lucas County.

17 WSU0100183 -17 Wright State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$249,982.70 from Fund 7034, ALI C27570 (Envelope Repairs), in FY17, for the Envelope Repairs project in Fairborn, Greene County.

18 WSU0100184 -17 Wright State University respectfully requests Controlling Board approval to release capital appropriation in the amount of \$225,500.00 from Fund 7034, ALI C27559 (Progressive Agricultural Convention and Educational (PACE) Center), in FY17, which include an agency released competitive opportunity to contract with SPGB Architects, Dublin, Franklin Co., for the Progressive Agricultural Convention & Educational Center project in Celina, Mercer County.

19 BOR0100368 -17 The Department of Higher Education respectfully requests Controlling Board approval to transfer capital appropriation in the amount of \$750,000.00 from Fund 7034, ALI C23530 (Technology Initiatives) to The Ohio State University Fund 7034, ALI C315X2 (Integrated Tech Infrastructure), in FY17, for Integrated Technology Infrastructure Projects in Columbus, Franklin County.

20 BOR0100369 -17 The Ohio Department of Higher Education respectfully requests Controlling Board approval to transfer capital appropriation in the amount of \$33,000.00 from Fund 7034, ALI C23551 (Research Portal) to The Ohio State University ALI C315ES (Research Portal Project), in FY17, for the Research Portal project in Columbus, Franklin County.

21 ADJ0100400 -17 The Adjutant General's Department respectfully requests Controlling Board approval to release capital appropriations in the amount of \$40,082.06, which is compromised of \$30,061.55 from fund 3420, ALI C74537 (Basic Renovations) and \$10,020.52 from fund 7026, C74535 (Renovations Projects) to execute the window and door Replacement Project at Building 943 of the Rickenbacker Army Enclave in Franklin County.

22 ADJ0100401 -17 The Adjutant General's Department respectfully requests Controlling Board approval to release capital appropriations in the amount of \$71,729.00, which is compromised of \$53,796.75 from fund 3420, ALI C74537 (Basic Renovations) and \$17,932.25 from fund 7026, C74535 (Renovations Projects) to execute the Window and Door Replacement Project at Building 944 of the Rickenbacker Army Enclave in Franklin County.

23 ADJ0100402 -17 The Adjutant General's Department respectfully requests Controlling Board approval for a waiver of competitive selection in the amount of \$6,000.00 from Fund 3420, ALI 745616 (Army National Guard) in FY17 for Apex Fabrication & Design Inc., Boyertown, PA., to install a new access point entry security gate at the Joint Force Headquarters in Beightler Armory located in Columbus.

24 AGR0100285 -17 The Ohio Department of Agriculture respectfully requests Controlling Board approval to release appropriation in the amount of \$249,745.00 from Fund 7057, ALI C70009 (Agricultural Easement), in FY17, which include an agency released competitive selection to purchase an agricultural easement through the following local sponsor: Three Valley Conservation Trust. The total purchase will be for a property in Preble County totaling 448.041 acres.

25 DEV0103031 -17 The Development Services Agency respectfully requests Controlling Board approval to release funds in the amount of \$9,000,000 from fund 6460, ALI 195638 (Low- and Moderate-Income Housing Programs), in FY17, to 34 nonprofit agencies through the Supportive Housing Program.

26 DEV0103032 -17 The Development Services Agency respectfully requests Controlling Board approval to release \$9,253,200 from Fund 6460, ALI 195638 (Low- and Moderate-Income Housing Programs), in FY17, to 39 nonprofit and local government agencies through the Homeless Crisis Response Program (HCRP).

27 DEV0103042 -17 The Development Services Agency respectfully requests Controlling Board approval to release funds in the amount of \$356,800 from fund 6460, ALI 195638 (Low- and Moderate-Income Housing Programs), in FY17, to the Ohio CDC Association (OCDCA) located in the city of Columbus, Franklin County.

28 DEV0103043 -17 The Development Services Agency respectfully requests Controlling Board approval to release funds in the amount of \$490,000.00 from Fund 6460, ALI 195638 (Low and Moderate Income Housing Programs), in FY17, to the Coalition on Homelessness and Housing in Ohio (COHHIO), located in the city of Columbus, Franklin County.

29 DEV0103044 -17 The Development Services Agency respectfully requests Controlling Board approval to release funds in the amount of \$200,000 from fund 6460, ALI 195638 (Low- and Moderate-Income Housing Programs), in FY17, to Habitat for Humanity of Ohio (Habitat), to construct or rehabilitate single-family homes for low-income families across the state.

30 DEV0103048 -17 The Development Services Agency respectfully requests Controlling Board approval to release funds in the amount of \$10,025,073.00 from Fund 6460, ALI 195638, (Low and Moderate Income Housing Programs), in FY17, for the Ohio Housing Finance Agency to administer the Housing Development Assistance Program (HDAP).

31 DEV0103049 -17 The Development Services Agency (DSA) respectfully requests Controlling Board approval of a \$500,000 Regional 166 Direct Loan to Thomas Steel, Inc. and co-borrower Thomas Equipment & Leasing LLC, for the purchase of equipment to be located at 305 Elm Street, Bellevue, Ohio 44811 in Huron County (Project Site).

32 [DEV0103050 -17](#) The Development Services Agency (DSA) respectfully requests Controlling Board approval of a \$250,000 Regional 166 Direct Loan to T & B Manufacturing Services, LLC for the purchase of equipment to be located at 375 Center Street, Miamiville, Ohio 45147 in Hamilton County (Project Site).

33 [DEV0103051 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$200,000.00 from fund 7014, ALI 195692 (Research & Development Taxable Bond Projects), in FY17, to The Research Institute at Nationwide Children's Hospital (NCH) located in the City of Columbus, Franklin County, for its Technology Validation and Start-up Fund project.

34 [DEV0103052 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$37,269.00 from fund 7014, ALI 195692 (Research & Development Taxable Bond Projects), in FY17, to Kent State University (KSU) located in the City of Kent, Portage County, for its Technology Validation and Start-up Fund project.

35 [DEV0103053 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$50,000.00 from fund 7014, ALI 195692 (Research & Development Taxable Bond Projects), in FY17, to University of Toledo (UT) located in the City of Toledo, Lucas County, for its Technology Validation and Start-up Fund project.

36 [DEV0103054 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$250,000.00 from fund 7014, ALI 195692 (Research & Development Taxable Bond Projects), in FY17, to University of Akron (UA) located in the City of Akron, Summit County, for its Technology Validation and Start-up Fund project.

37 [DEV0103055 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$500,000.00 from fund 7011, ALI 195687 (Third Frontier Research & Development Projects), in FY17, to The Cleveland Clinic Foundation (CCF) located in the City of Cleveland, Cuyahoga County, for its Technology Validation and Start-up Fund project.

38 [DEV0103056 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$500,000.00 from fund 7011, ALI 195687 (Third Frontier Research & Development Projects), in FY17, to Case Western Reserve University (CWRU) located in the City of Cleveland, Cuyahoga County, for its Technology Validation and Start-up Fund project.

39 [DEV0103057 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$500,000.00 from fund 7014, ALI 195692 (Research & Development Taxable Bond Projects), in FY17, to The Ohio State University (OSU) located in the City of Columbus, Franklin County, for its Technology Validation and Start-up Fund project.

40 [DEV0103058 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$500,000.00 from fund 7014, ALI 195692 (Research & Development Taxable Bond Projects), in FY17, to University of Cincinnati (UC) located in the City of Cincinnati, Hamilton County, for its Technology Validation and Start-up Fund project.

41 [DEV0103059 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$500,000.00 from fund 7014, ALI 195692 (Research & Development Taxable Bond Projects), In FY17, to UHHS, Inc., (UH) located in the City of Cleveland, Cuyahoga County, for its Technology Validation and Start-up Fund project.

42 [DEV0103060 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$100,000.00 from fund 7014, ALI 195692 (Research & Development Taxable Bond Projects), In FY17, to GlobalFlyte, Inc., located in the City of Akron, Summit County, for its Technology Validation and Start-up Fund project.

43 [DEV0103061 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$150,000.00 from fund 7014, ALI 195692 (Research & Development Taxable Bond Projects), In FY17, to ICBM Medical, Inc., located in the City of Cleveland, Cuyahoga County, for its Technology Validation and Start-up Fund project.

44 [DEV0103062 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$150,000.00 from fund 7014, ALI 195692 (Research & Development Taxable Bond Projects), In FY17, to Med-Compliance IQ, LLC, located in the City of Columbus, Franklin County, for its Technology Validation and Start-up Fund project.

45 [DEV0103063 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$100,000.00 from fund 7014, ALI 195692 (Research & Development Taxable Bond Projects), In FY17, to Smart 3D Solutions, located in the City of Akron, Summit County, for its Technology Validation and Start-up Fund project.

46 [DEV0103064 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$40,000.00 from fund 7011, ALI 195687 (Third Frontier R&D Projects), In FY17, to UHHS, Inc., (UH) located in the City of Cleveland, Cuyahoga County, for its Technology Validation and Start-up Fund project.

47 [DEV0103065 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$9,207,100.00 from fund 7014, ALI 195692 (R&D Taxable Bond Projects), In FY17, to CincyTech, LLC (CincyTech) located in the City of Cincinnati, Hamilton County, to advance the Entrepreneurial Services Program.

48 [DEV0103066 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$18,799,086.00 from fund 7014, ALI 195692 (R&D Taxable Bond Projects), In FY17, to JumpStart Inc. (JumpStart) located In the City of Cleveland, Cuyahoga County, to advance the Entrepreneurial Services Program.

49 [DEV0103067 -17](#) The Development Services Agency respectfully requests Controlling Board approval to release \$9,170,000.00 from fund 7014, ALI 195692 (R&D Taxable Bond Projects), In FY17, to Rev1 Ventures (Rev1) located in the City of Columbus, Franklin County, to advance the Entrepreneurial Services Program.

50 DEV0103068 -17 The Development Services Agency respectfully requests Controlling Board approval to release \$3,595,706.00 from fund 7014, ALI 195692 (R&D Taxable Bond Projects), In FY17, to Ohio University (OU - TechGROWTH) located in the City of Athens, Athens County, to advance the Entrepreneurial Services Program.

51 DEV0103071 -17 The Development Services Agency respectfully requests Controlling Board approval to release \$1,000,000.00 from fund 7014, ALI 195692 (Research & Development Taxable Bond Projects), In FY17, for a Commercial Acceleration Loan Fund loan to NaviStone, Inc. located in the City of Cincinnati, Hamilton County, Ohio.

52 DEV0103074 -17 The Development Services Agency (DSA) respectfully requests Controlling Board approval of a \$500,000 Regional 166 Direct Loan from fund 7037, 195615 (Facilities Establishment) in FY17, to KDL Properties LLC (KDLP) for the purchase and renovation of real estate located at 2000-2050 South High Street, Columbus, Ohio 43207 in Franklin County (Project Site).

53 DEV0103075 -17 The Development Services Agency (DSA) respectfully requests Controlling Board approval of a \$500,000 Regional 166 Direct Loan from fund 7037, ALI 195615 (Facilities Establishment) in FY17, to Arnold Machine, Inc. (AMI) for the purchase machinery & equipment to be located at 19 Heritage Drive, Tiffin, Ohio 44883 in Seneca County (Project Site).

54 ETH0100003 -17 The Ohio Ethics Commission (Commission) respectfully requests Controlling Board approval to increase appropriation authority in the amount of \$90,000 in FY 2017 for Fund 4M60, line item 146601 - Operating Expenses.

55 DOH0100353 -17 The Ohio Department of Health (ODH) respectfully requests Controlling Board approval to establish appropriation for Fund 5SH0, ALI 440520, Wishes for Sick Children, in the amount of \$150,000 for SFY17.

56 DOH0100356 -17 The Ohio Department of Health (ODH) respectfully requests Controlling Board approval to waive competitive selection in the amount of \$12,424.95 from fund GRF, ALI 440451 (Public Health Laboratory) In SFY17 to purchase upgraded Windows 7 compatible analysis software for the operations of sequencing based assays on the Applied Biosystems 3130xl Genetic Analyzer (ABI 3130xl) from Life Technologies Corporation, Carlsbad, CA, for the Public Health Laboratory (PHL).

57 DOH0100357 -17 The Ohio Department of Health respectfully requests Controlling Board approval for waiver of competitive selection in the amount of \$72,559.11 from Fund 4730, ALI 440622 (Lab Operating Expense), for SFY17 to purchase newborn screening supplies from Eppendorf North America, Hauppauge, New York, for the Public Health Laboratory (PHL).

58 DOH0100358 -17 The Ohio Department of Health (ODH) respectfully requests Controlling Board approval to increase appropriation authority in the amount of \$1,550,000 in SFY17 for Fund 4730, ALI 440622, Lab Operating Expenses for the Newborn Screening Program.

59 [JFS0100403 -1617](#) The Ohio Department of Job and Family Services (ODJFS) respectfully requests Controlling Board approval of an amendment to a previously approved contract with Xerox State & Local Solutions, Inc., Fairfax, Virginia, in the amount of \$45,000 in FY17, to add an additional deliverable to provide a monthly outreach service for parents who recently establish paternity for a child and there is not an existing case in the Support Enforcement Tracking System (SETS) and for unmarried mothers who recently had a child in Ohio and paternity is not established with the Centralized Paternity Registry (CPR).

60 [DMH0100621 -17](#) The Department of Mental Health & Addiction Services respectfully requests Controlling Board approval to release capital funds in the amount of \$50,000.00 from Fund 7033, ALI C58001 (Community Assistance Projects), in FY17 for Family Recovery Center in Lisbon, Columbiana County, a contract agency of the Columbiana County Mental Health & Recovery Services Board.

61 [DMH0100622 -17](#) The Department of Mental Health & Addiction Services respectfully requests Controlling Board approval to release capital funds in the amount of \$100,000.00 from Fund 7033, ALI C58001 (Community Assistance Projects), in FY17 for Mental Health and Recovery for Licking and Knox Counties, in Newark, Licking County, Ohio.

62 [DMH0100624 -17](#) The Department of Mental Health & Addiction Services respectfully requests Controlling Board approval to release capital funds in the amount of \$872,555.00 from Fund 7033, ALI C58008 (Emergency Improvements), in FY 17, including an agency released opportunity in the amount of \$812,555.00 for Westfield Electric of Gibsonburg, Ohio, and \$60,000 in contingency, for Project DMH-150012, Transformer and Emergency Generator Replacement at Northwest Ohio Psychiatric Hospital.

63 [DMH0100625 -17](#) The Department of Mental Health & Addiction Services respectfully requests Controlling Board approval to release capital funds in the amount of \$490,000 from Fund 7033, ALI C58004, Demolition, and ALI C58000, Hazardous Materials Abatement in FY 17, including an agency released competitive opportunity in the amount of \$447,000.00 for Pro Quality Land Development, Inc. of Campbell, Ohio and \$43,000.00 in contingency, for Project DMH-160015, Building, Tunnel, and Site Demolition at Northcoast Behavioral Health in Northfield, Ohio, Summit County.

64 [DMH0100626 -17](#) The Department of Mental Health & Addiction Services respectfully requests Controlling Board approval to release capital funds in the amount of \$150,000.00 from Fund 7033, ALI C58001 (Community Assistance Projects), in FY17 for House of Hope, Inc. in Columbus, Franklin County, a contract agency of the Franklin County Alcohol, Drug Addiction, and Mental Health Board.

65 [DMR0100376 -17](#) The Department of Developmental Disabilities respectfully requests Controlling Board approval to waive competitive selection in the amount of \$15,000 for FY17, from Fund 3250, ALI 322612 (Community Social Services Programs), to amend the contract with Shelden & Rush LLC, Morgantown, North Carolina to provide training and technical assistance on evidence based early intervention services within the context of federal Part C of IDEA regulations and intent.

66 [DMR0100377 -17](#) The Department of Developmental Disabilities respectfully requests Controlling Board approval for an agency release competitive opportunity in the amount of \$83,200 in FY17 from fund 3A40, ALI 653605 (DC and Residential Services and Support), to contract with Dr. Stuart Bassman, Cincinnati, Hamilton County to provide psychology services to residents of the Southwest Ohio Developmental Center.

67 [DMR0100382 -17](#) The Department of Developmental Disabilities respectfully requests Controlling Board approval for a waiver of competitive selection in the amount of \$25,000 from fund 3A40, ALI 653605 (DC and Residential Services and Support), in FY17, to contract with PCA-Corrections, LLC dba Choice Pharmacy, to provide medications necessary to treat individuals at the Cambridge Developmental Center.

68 [DNR0101168 -17](#) The Department of Natural Resources respectfully requests Controlling Board approval to release capital appropriation in the amount of \$1,300,382.55 from Fund 7035, ALI C725B5 (Buckeye Lake Dam Rehabilitation), in FY17, which includes a waiver of competitive selection per O.R.C. 127.16B to amend the contract with ASI Constructors Inc. to provide Construction Manager at Risk professional services at Buckeye Lake State Park located in Millersport, Ohio in Fairfield and Licking Counties.

69 [DNR0101222 -17](#) The Department of Natural Resources respectfully requests Controlling Board approval to release capital appropriations in the amount of \$1,021,046.81 from Fund 7031, ALI C725E5 (Project Planning) and \$1,842,133.19 from Fund 7035, ALI C725E6 (Project Planning), in FY17, for a total of \$2,863,183.00, which include a waiver of competitive selection to amend the owner's agent contract with Hill International, Inc., Philadelphia, PA.

70 [DNR0101223 -17](#) The Department of Natural Resources respectfully requests Controlling Board approval to release capital appropriation in the amount of \$20,608.13 from Fund 7086, ALI C725A7 (Cooperative Grant Funding for Boat Facilities), in FY17, for improvements to the boat ramp at AW Marion State Park located in Circleville, Ohio in Pickaway County.

71 [DNR0101224 -17](#) The Department of Natural Resources respectfully requests Controlling Board approval to release capital funds in the amount of \$878,742.78 from fund 7031, ALI C725N8 (Operations Facility Development), in FY17, to purchase equipment used to support land management operations and protect public health & safety.

72 [DNR0101226 -17](#) The Department of Natural Resources respectfully requests Controlling Board approval to release capital appropriation in the amount of \$8,143,168.40 from Fund 7035, ALI C725R4 (Dam Rehabilitation - Parks), in FY17, for dam spillway improvements at Indian Lake State Park located in Lakeview, Ohio in Logan County.  
This total includes a contingency in the amount of \$740,288.00.

73 [DNR0101227 -17](#) The Department of Natural Resources respectfully requests Controlling Board approval to release capital appropriation in the amount of \$307,228.00 from Fund 7035, ALI C725R4 (Dam Rehabilitation - Parks), in FY17, which includes a waiver of competitive selection per O.R.C. 127.16B to amend the contract with Stantec Consulting Services, Inc. to provide design and construction administration services at Indian Lake State Park located in Lakeview, Ohio in Logan County.

74    [DNR0101228 -17](#)    The Department of Natural Resources respectfully requests Controlling Board approval to release capital appropriation and a waiver of competitive selection in the amount of \$7,500 from Fund 7031, ALI C72530 (Nature Preserves/Preserve Maintenance/Facilities), in FY17, to amend the contract with Environmental Design Group, LLC to provide design and bidding assistance for the boardwalk at the Headlands Dunes State Nature Preserve located in Mentor, Ohio in Lake County.

75    [DNR0101229 -17](#)    The Ohio Department of Natural Resources respectfully requests Controlling Board approval to release capital funds in the amount of \$10,500,000 from fund 7061, ALI C72514 (Clean Ohio Trail Fund), in FY17, for the Clean Ohio Trails Fund (COTF) grants statewide.

76    [DNR0101230 -17](#)    The Ohio Department of Natural Resources respectfully requests Controlling Board approval to release capital funds in the amount of \$2,979,478 from fund 7031, ALI C725E1 (Local Parks Projects Statewide), in FY17, for Round 23 of the Local Parks Projects Statewide NatureWorks grant program.

77    [PUB0100128 -17](#)    The Public Defender Commission respectfully requests Controlling Board approval to waive competitive selection in the amount of \$27,300.00 from fund 4C70, ALI 019601 (Multi-County: County Share) and fund GRF, ALI 019403 (Multi-County: State Share), in FY17, to contract with Roxanne Hoover, Esq., Portsmouth Ohio, to provide representation to indigent persons in Jackson County as part of the agency's Multi-County Branch Office Program.

78    [PUB0100129 -17](#)    The Public Defender Commission respectfully requests Controlling Board approval to waive competitive selection in the amount of \$27,300.00 from fund 4C70, ALI 019601 (Multi-County: County Share) and fund GRF, ALI 019403 (Multi-County: State Share), in FY17, to contract with Meadows Law Office, LLC (through the services of Gene Meadows, Esq.), Portsmouth Ohio, to provide representation to indigent persons in Jackson County as part of the agency's Multi-County Branch Office Program.

79    [PUB0100130 -17](#)    The Public Defender Commission respectfully requests Controlling Board approval to waive competitive selection in the amount of \$27,300.00 from fund 4C70, ALI 019601 (Multi-County: County Share) and fund GRF, ALI 019403 (Multi-County: State Share), in FY17, to contract with The Law Office of Richard M. Nash, Jr. (through the services of Richard M. Nash, Jr., Esq.), Portsmouth Ohio, to provide representation to indigent persons in Jackson County as part of the agency's Multi-County Branch Office Program.

80    [PUB0100131 -17](#)    The Public Defender Commission respectfully requests Controlling Board approval to waive competitive selection in the amount of \$27,300.00 from fund 4C70, ALI 019601 (Multi-County: County Share) and fund GRF, ALI 019403 (Multi-County: State Share), in FY17, to contract with Skaggs Law Office (through the services of Justin W. Skaggs, Esq.), Jackson Ohio, to provide representation to indigent persons in Jackson County as part of the agency's Multi-County Branch Office Program.

81    [PUB0100132 -17](#)    The Public Defender Commission respectfully requests Controlling Board approval to establish appropriation authority in the amount of \$26,700.00 in fund 4060, ALI 019603 (Training and Publications), in FY17, to sponsor certified legal education (CLE) training seminars with the general objective of training and educating attorneys and others in the legal representation of indigent persons.

82 [DPS0100450 -17](#) The Department of Public Safety, Bureau of Motor Vehicles, respectfully requests Controlling Board approval to waive competitive selection in the amount of \$572,254.98 with \$450,000 from fund 7036, ALI 761321 (Information & Education Operating) and \$122,254.98 from fund 4W40, ALI 762321 (Operating Expense -BMV) in FY17 to acquire services from the Children's Hospital of Philadelphia for the implementation of Portable Driver Simulator Systems (PDSS).

83 [DRC0101441 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval to release capital appropriation in the amount of \$126,766.19 from fund 7027, ALI C50136 (General Building Renovation-Statewide), in FY17, for the Roof Replacement project at the Belmont Correctional Institution, St. Clairsville, Belmont County.

84 [DRC0101542 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval for an agency released competitive opportunity in the not-to-exceed amount of \$18,534.75 from fund GRF, ALI 501321 (Institutional Operations), in FY17, to obtain keys and lock supplies from Craftmaster Hardware LLC, Northvale, New Jersey, for the Pickaway Correctional Institution, Orient, Pickaway County.

85 [DRC0101543 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval for a waiver of competitive selection in the amount of \$75,000.00 from fund 3230, ALI 501619 (Federal Grants), in FY17, for Carey Group Publishing, Viera, Florida, for the development of Electronic Direct Intervention Software for use by the Department.

86 [DRC0101544 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval to transfer \$247,000.00 from fund 7027, ALI C50136 (General Building Renovation-Statewide), to fund 7027, ALI C50105 (Water System/Plant Improvements-Statewide), and to release \$447,000.00 from fund 7027, ALI C50105 (Water System/Plant Improvements-Statewide), in FY17, for the Wastewater Treatment Plant Renovation project at the Pickaway Correctional Institution, Orient, Pickaway County.

87 [DRC0101545 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval for a waiver of competitive selection in the not-to-exceed amount of \$93,600.00 from fund GRF, ALI 505321 (Institution Medical Services), in FY17, to contract with Edgardo O. Cabatan, Defiance, Defiance County, to provide short-term psychiatric services at various institutions.

88 [DRC0101548 -17](#) Rehabilitation and Correction respectfully requests Controlling Board approval for an agency released competitive opportunity in the amount of \$18,975.48 from fund GRF, ALI 501321 (Institutional Operations), in FY17, to obtain Fire Suppression System Inspections from Silco Fire & Security, Cincinnati, Hamilton County, for the Franklin Medical Center, Columbus, Franklin County.

89 [DOT0100540 -17](#) Transportation respectfully requests Controlling Board approval to waive competitive selection in the amount of \$430,982.03 for Fiscal Year 2017 in Fund 7002, ALI 772421, Highway Construction-State, for a change order to the contract with Kokosing Construction Company to increase the construction contract amount for the major widening project on IR-75 in Lucas County, for cost escalations due to delay.

90 [DOT0100541 -17](#) Transportation respectfully requests Controlling Board approval to waive competitive selection in the amount of \$193,083.54 for Fiscal Year 2017 in Fund 7002, ALI 772421, Highway Construction-State, for a change order to the contract with Kokosing Construction Company to increase the construction contract amount for the major widening project on IR-75 in Lucas County, for a temporary retaining wall.

91 [DOT0100542](#) Transportation respectfully requests Controlling Board approval in compliance with Chapter 5526.02 of the Ohio Revised Code in the amount of \$345,287.00 for Fiscal Year 2017 in Fund 7002, ALI 772421, Highway Construction-State, to modify the contract with Richland Engineering Limited, Mansfield, Ohio, Richland County to complete construction contract plans for the rehabilitation of the State Route 176 SB (Jennings Freeway) Bridge over Interstate Route 71 SB in Cuyahoga County, Ohio.

92 [DOT0100543 -17](#) The Ohio Department of Transportation respectfully requests Controlling Board approval to waive competitive selection in the amount of \$550,062.53, from fund 7002, ALI 771412 and 771411 (Planning and Research - Federal and State, respectively), in FY17, to contract with the University of Akron Research Foundation, Akron, Ohio, .

93 [DOT0100544 -17](#) The Department of Transportation respectfully requests Controlling Board approval to waive competitive selection in the amount of \$1,500,000, from fund 7002, ALI 777475 (Aviation Administration) for Fiscal Year 2017 to collaborate with the Air Force Research Laboratory (AFRL) for the continued development and testing of the Ground-Based Sense and Avoid System (GBSAA) at Springfield-Beckley Municipal Airport (KSGH).

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**State of Ohio, Controlling Board**  
30 East Broad Street, 34th Floor Columbus, Ohio 43215-3457 (614) 466-5721 FAX:(614) 466-3813

**From:** Russell, Dustin  
**Sent:** Wednesday, December 7, 2016 6:15 PM  
**To:** Yapple, Tyler  
**CC:** Kasysh, Shawn; Sarko, Alyssa  
**Subject:** Bill Briefs SB 206/SB 329  
**Attachments:** Bill Brief\_SB 206 Campaign Statements GAO.pdf; Bill Brief\_SB 329 Sunset Review GAO.pdf

**Follow Up Flag:** Follow up

**Flag Status:** Completed

Attached w/ possible revision needed for SB 329 after tomorrow's committee hearing.

This should be all from me for House Floor Bill Briefs

My outstanding Concurrence Vote Bill Briefs, if needed are:

HB 471, HB 384 (Marisa making brief), HB 476 and HB 444.

-Dustin

## **Dustin Russell**

Ohio House of Representatives  
Majority Deputy Policy Director  
466-2179



**Think Green!**

Please do not print this e-mail unless absolutely necessary.

**S.B. 206 LAROSE**

To allow certain campaign committees and other entities to file campaign finance statements electronically and to require the Secretary of State to make the information in those electronic statements available online.

House Co-Sponsors: Amstutz, Blessing

Senate Co-Sponsors: Gardner, Hite, Coley, Lehner, Tavares, Eklund, Obhof, Skindell, Thomas, Uecker, Yuko

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**Bill History**

- 09/15/2016 – Referred to Government Oversight and Reform
- 05/25/2016 – **REPORTED OUT AS AMENDED** (3 hearings; 12-0)
- 05/25/2016 – **PASSED BY SENATE** (33-0)
- 11/10/2016 – Referred to Government Accountability and Oversight
- 12/07/2016 – **REPORTED OUT** (3 hearings; Unanimous)
- 12/08/2016 – *House Floor Vote Pending*

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• Dennis Hetzel, Ohio Newspaper Association</li><li>• Aaron Ockerman, Ohio Association of Election Officials</li></ul>		

**Key Provisions**

- Expands the categories of political entities that are permitted to file their campaign finance statements electronically to include candidates for the State Board of Education and certain local candidates and political entities.
- Prescribes the manner in which a board of elections must process electronic statements filed with the board.
- Requires the Secretary of State to store electronic statements received from boards of elections and make those statements available online in the same manner as other electronic statements.
- Specifies that the bill takes effect on the first day of January that occurs at least 180 days after the act is filed with the Secretary of State.

**Additional Information**

- **Policy Advisor:** Dustin Russell, Majority Deputy Policy Director, 466-2179, [dustin.russell@ohiohouse.gov](mailto:dustin.russell@ohiohouse.gov)

Updated December 7, 2016

**S.B. 329 JORDAN/FABER**  
**Sunset Law – Revise**

**House Co-Sponsors:**

**Senate Co-Sponsors: Coley, Bacon, Burke, Eklund, Hackett, Hite, Obhof, Peterson, Uecker**

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**Bill History**

- 05/17/2016 – Referred to Government Oversight and Reform
- 09/28/2016 – **REPORTED OUT** – Substitute Bill (3 hearings; 8-3 Patton)
- 09/28/2016 – **PASSED BY SENATE** (22-8 Patton)
- 11/10/2016 – Referred to Government Accountability and Oversight
- 12/08/2016 – *Committee Vote Pending*
- 12/08/2016 – *Floor Vote Pending*

**Stakeholders**

<b>Proponent</b>	<b>Opponent</b>	<b>Interested Party</b>
	<ul style="list-style-type: none"><li>• Lisa Hamler-Fugitt, Co-Chair, Ohio's Future</li><li>• Wendy Patton, Policy Matters</li></ul>	<ul style="list-style-type: none"><li>• Greg Lawson, Buckeye Institute (Senate)</li></ul>

**Key Provisions**

- Establishes a procedure for the General Assembly to periodically review cabinet departments and establishes a schedule for departments that are not renewed to cease operation.
- Authorizes the General Assembly to review, consider, and evaluate the usefulness, performance, and effectiveness of other departments.

**Additional Information**

- **Amendments accepted in committee:** *Pending*
- **Policy Advisor:** Dustin Russell, Majority Deputy Policy Director, 466-2179, [dustin.russell@ohiohouse.gov](mailto:dustin.russell@ohiohouse.gov)

**From:** Kasich, Shawn  
**Sent:** Wednesday, December 7, 2016 10:20 PM  
**To:** GOP\_All  
**Subject:** Bill Briefs for 12/8  
**Attachments:** HB 618 Bill Brief.pdf; Bill Briefing (SB 199 - Uecker Gardner).docx; Hwys 12-6-16.pdf; SB 291 Yuko 12-6-16.pdf; S.B. 76 (SEN. BACON) Protection orders-service on violator not necessary if actual notice and reckless violation.pdf; S.B. 257 (SEN. SEITZ, SEN. SKINDELL) Cure Title.pdf; SB 127 Bill Brief.pdf; Bill Brief SB 329 Sunset Review GAO.pdf; Sub. SB 3 Bill Brief.docx

### Follow Up Flag: Follow up

**Flag Status:** Completed

### Members and staff,

Please see the attached bill briefs for floor activity tomorrow. If you have any questions regarding the content of tomorrow's session, please do not hesitate contacting me. A bill brief for SB235 is being prepared, and will be available at caucus tomorrow morning.

Shawn Kasych  
Majority Policy Director  
Speaker Clifford A. Rosenberger  
Office 614.466.0863  
Cell 216.299.0901

Updated December 6, 2016

**H.B. 618 (SCHURING/REECE)**  
*Expunge criminal records if misidentified*

**House Co-Sponsors:** N/A

**Bill History**

- 12/6/2016 – *Community and Family Advancement Committee* (2 hearings) (15-0)
- *Pending House Floor Vote*

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• Kari Bloom, <i>Ohio Public Defender</i></li><li>• Stephen JohnsonGrove, <i>Ohio Justice and Policy Center</i></li><li>• Sasha Najman</li><li>• Charles Belk, <i>Fitting the Description</i></li></ul>	<ul style="list-style-type: none"><li>• N/A</li></ul>	<ul style="list-style-type: none"><li>• N/A</li></ul>

**Key Provisions**

- Provides a mechanism for the expungement of official records related to the apprehension, arrest, charging, or trial of a person for a crime based on mistaken identity.
- Expands the effect of an order for the sealing of records after a not guilty finding, dismissal of charges, or entry of a no bill to also specify that the records may not be used for any purpose related to employment, license, any other right or privilege, or appearance as a witness.

**Additional Information**

- **Policy Advisor:** Christopher Albanese, (614) 466-2174, chris.albanese@ohiohouse.gov

**SUB. S.B. 199 (UECKER, GARDNER)**  
Armed forces active duty member-handgun-conceal carry/obtain

**House Co-Sponsors:** NA

**Senate Co-Sponsors:** Coley, Bacon, Obhof, Eklund, Beagle, Burke, Faber, Hackett, Hite, Hottinger, Hughes, Jones, Jordan, LaRose, Manning, Oelslager, Patton, Seitz

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**Bill History**

- 7/20/15 – Introduced
- 4/25/16 – Reported by Senate Civil Justice Committee (3 Hearings), (8-3, party line)
- 4/27/15 – Senate Floor Vote (32-0)
- 12/6/15 – Reported by House State Government Committee (5 Hearings), (8-4, party line)
- House Floor Vote Pending

**Stakeholders**

<b>Proponent</b>	<b>Opponent</b>	<b>Interested Party</b>
<ul style="list-style-type: none"><li>• Gary Witt (Ohioans for Concealed Carry)</li><li>• Jim Irvine (Buckeye Firearms Association)</li></ul>	<ul style="list-style-type: none"><li>• Jennifer Thorne (Ohio Coalition Against Gun Violence)</li><li>• Don Boyd (Ohio Chamber of Commerce) (As Amended)</li><li>• Alex Boenke (Retail Merchants) (As Amended)</li></ul>	

**Key Provisions**

- Specifies that an active duty member of the U.S. armed forces who is carrying valid military identification and documentation of successful completion of firearms training that meets or exceeds the training requirements for concealed handgun licensees has the same right to carry a concealed handgun as a concealed handgun licensee and is subject to the same restrictions as apply to a licensee.
- Expands exemptions that currently apply to a concealed handgun licensee under offenses related to possessing a firearm in a vessel, D-liquor permit premises, a

school safety zone, a courthouse, or a motor vehicle, and to carrying a concealed weapon so that they apply to a qualifying member of the military.

- Specifies penalties that apply to a qualifying member of the military who cannot promptly produce the required documents demonstrating the person's authority to carry a concealed handgun.
- Requires a qualifying member of the military who has a loaded handgun in a motor vehicle and is approached by a law enforcement officer or a Motor Carrier Enforcement Unit employee to notify the officer or employee of the concealed handgun, and follow certain other requirements, and specifies associated penalties.
- Specifies that prohibitions against selling a firearm to a person under age 18 or selling a handgun to a person under age 21 do not apply to a person who is an active duty member of the U.S. armed forces who has firearms training that meets or exceeds the training requirements for concealed handgun licensees.

#### **Additional Information**

- **Amendments accepted in committee:**
  - AM 2288 (Hambley): Clarifies that, when stopped by law enforcement, a person may show their CHL (as under current law) or military documentation if applicable.
  - AM 2932 (Hambley): Requires the Attorney General to maintain information on their website regarding firearms law specific to military members.
  - AM 2883 (Sweeney): Clarifies that a firearm can be sold to an underage active member of the military not by a member of the military to an underage person.
  - AM 2829-2 (LaTourette): Prohibits an employer from firing, refusing to hire, or otherwise discriminating against a CHL holder for storing a firearm in their motor vehicle even if the vehicle is located on the employer's property.
- **Policy Advisor:** Marisa Myers, 614-728-5523, Marisa.Myers@ohiohouse.gov

H/S	Source	Bill/Amendment #	Description
1 H	Speaker	G1310433	Sergeant Joseph W. Danison Memorial Highway
2 H	Speaker	TBD	Army PFC Neil R. Scott Memorial Highway
3 H	Maag	G1310385	FIX - SFC Bobby Lee Estle Memorial Highway (Warren County)
4 H	Hayes	G1310572	Ohio Inspector General David D. Sturtz Memorial Highway (Coshocton Co) - Fmr OSHP
5 H	DeVitis	L_131_1067	Army Pfc. Michael Dominic Paonessa Memorial Highway
6 H	Brinkman	L_131_1885	Staff Sgt. Richard T. Pummill Memorial Highway
7 H	Burkley	TBD	FIX - Monarch Butterfly license plate
8 H	Gonzales	G1310339	Westerville Parks Foundation license plate
9 H	Brinkman	G1310427	Juvenile diabetes license plate
10 H	Anielski	G1310543	Independence Local Schools license plate
11 H	Anielski	G1310544	Solon City Schools license plate
12 H	Anielski	G1310539	Lakewood St. Edward High School license plate
13 H	Ruhl	HB 610	Corporal Nathan R. Anderson Memorial Bridge
14 H	Patterson	HB 606	Sgt. William 'Bill' Endress and Geneva Vietnam War Veterans Memorial Highway
15 H	Ramos	An. HB 605 (as reported by comm)	Trooper Kenny Velez Memorial Highway
16 H	Sheehy	HB 605 Amdt 2909	FIX - Oregon Jerusalem Vietnam Veterans Memorial Highway
17 H	Cera	HB 584	"Sergeant Sylvester Antolak Medal of Honor Recipient Memorial Highway" AND "Sergeant Emile DeLeau, Jr. Medal of Honor Recipient Memorial Highway"
18 H	Boccieri	HB 553	Ohio Pupil Transportation Safety First!!! License plate
19 S	Hughes	SB 337	Officer Sean Johnson Memorial Highway

*Updated December 6, 2016*

**S.B. 291 (YUKO)**  
Pain Awareness Month-September

**Bill History**

- 5-18-16 – Senate Health & Human Services (3 hearings) (9-0)
- 5-24-16 – Senate Floor Vote (33-0)
- 11-16-16 – Health House Committee (1 hearing) (14-0)
- 12-7-16 – House Floor Vote Scheduled

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• David P. Schwartz – Ohio Psychological Association (OPA)</li></ul>		

**Key Provisions**

- Designates September as "Pain Awareness Month."

**Additional Information**

- **Policy Advisor:** Lisa Griffin, 937-554-6372, lisa.griffin@ohiohouse.gov

**S.B. 76 (SEN. BACON)**

Protection orders-service on violator not necessary if actual notice and reckless violation

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**Bill History**

- 9/30/2015 — Senate Floor Vote (32-0)
- 11/15/2016 — House Judiciary Committee Report (12-1 (No Pelanda))
- House Floor Vote Pending

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• The Ohio Prosecuting Attorneys Association</li><li>• Columbus City Attorney's Office</li><li>• Ohio Domestic Violence Network</li><li>• Legal Aid Society of Cleveland</li></ul>	•	•

**Key Provisions**

- Provides that in a prosecution for violating a protection order or consent agreement, it is not necessary to prove that the order or agreement was served on the person if the prosecution proves that the person was shown the order or agreement or a copy of it or a judge or law enforcement officer informed the person of the order or agreement, and proves that the person recklessly violated its terms.
- Declares that the intent in enacting the previously described provision is to supersede the holding in State v. Smith (2013), 136 Ohio St.3d 1, so that unperfected service of a protection order (or consent agreement) does not preclude a prosecution for "violating a protection order."
- Expands the circumstances in which the offense of "violating a protection order" is expressly classified as a fifth degree felony.

**Additional Information**

- **Amendment Accepted in House Committee:**
  - The House Judiciary Committee accepted an amendment that clarifies that if the order or agreement was not served the prosecutor has to prove that the order or consent decree was shown to the defendant or that a judge or law enforcement

*Updated December 6, 2016*

informed the defendant that a protection order or consent agreement had been issued.

- **Policy Advisor:** Scott Lundregan, 466-1460, Scott.Lundregan@OhioHouse.gov

**S.B. 257 (SEN. SEITZ, SEN. SKINDELL)**

To create a presumption of validity of recorded real property instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments.

**Bill History**

- 5/17/2016 — Senate Floor Vote (32-0)
- 12/6/2016 – Pending House Judiciary Report
- House Floor Vote Pending

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• The Ohio State Bar Association</li></ul>	•	•

**Key Provisions**

- Specifies that, upon delivery to and acceptance by the county recorder, certain real property instruments raise two rebuttable presumptions: (1) that the instrument conveys, encumbers, or is enforceable against the interest of the person who signed the instrument and (2) that the instrument is valid, enforceable, and effective as if the instrument were legally made, executed, acknowledged, and recorded.
- Specifies that the presumptions may be rebutted only by clear and convincing evidence of fraud, undue influence, duress, forgery, incompetency, or incapacity.
- Reduces from 21 years to four years the period of time a real property instrument, for which the record shows there is a defect, is cured of defects by operation of law and becomes effective as if it had been legally made, executed, acknowledged, and recorded.
- Expands the type of defects in a real property instrument that may be cured from three specific defects under current law to any defect in the making, execution, or acknowledgement of the instrument under the bill.
- Eliminates a provision that requires any person claiming adversely to a real property instrument with a defect to bring proceedings to contest the effect of the instrument only within 21 years after the instrument is recorded.
- Specifies that, when delivered to the appropriate county recorder and filed in the chain of title, a real property interest provides constructive notice to all third parties of the instrument notwithstanding a defect in the making, execution, or acknowledgement of the instrument.
- Specifies that the section the bill amends generally applies to all real property instruments notwithstanding any other provision under Ohio law and that the section controls if a

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conflict exists, but nothing in the bill operates to discharge the obligation to comply with all provisions of the Ohio Marketable Title Act, the Ohio Dormant Mineral Act, and a provision of law concerning the forfeiture and cancellation of natural gas and oil land leases before an interest in real estate is extinguished, abandoned, or forfeited under those provisions.

- Identifies, specifically, a section of current law concerning constructive notice as one, among all others in the Revised Code, that will be superseded by the bill's provisions in the case of conflict.
- Specifies that the bill gives the section the bill amends retroactive effect to the fullest extent permitted under the Ohio Constitution.

**Additional Information**

- **Amendment Accepted in House Committee:**
- **Policy Advisor:** Scott Lundregan, 466-1460, Scott.Lundregan@OhioHouse.gov

**S.B.127 (LEHNER/HOTTINGER)**  
*Prohibit abortion-gestational age 20 weeks or more*

**House Co-Sponsors:** Antani

**Senate Co-Sponsors:** Senators Uecker, Hite, Eklund, Jones, Burke, Gardner, Oelslager, Obhof, Faber, Jordan

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**Bill History**

- 6/24/2015 – Reported from Senate Health and human Services Committee (8-2)
- 6/24/2015 – Passed Senate (23-9)
- 12/7/16 – Reported from Community and Family Advancement Committee (4 Hearings), (11-4)
- House floor vote pending

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• Stephanie Krider, (Ohio Right to Life)</li><li>• Denise Leipold, (Right to Life Northeast Ohio)</li><li>• Anna Higgins, (Charlotte Lozier Institute)</li><li>• Dr. Gary George</li><li>• Dr. Sheila Page, (American Association of Pro-Life OBGYN)</li><li>• Dr. David Prentice, (Charlotte Lozier Institute)</li></ul>	<ul style="list-style-type: none"><li>• Michael Meera Mehta</li><li>• Jamie Miracle, (NARAL Pro-Choice Ohio)</li><li>• Rabbi Misha Zinkow</li><li>• Lisa Wurm, (ACLU of Ohio)</li><li>• Rev. Laura Young, (Ohio Religious Coalition for Reproductive Choice)</li></ul>	<ul style="list-style-type: none"><li>• N/A</li></ul>

**Key Provisions**

- Prohibits purposely performing or inducing or purposely attempting to perform or induce an abortion on a pregnant woman when the probable post-fertilization age of the unborn child is 20 weeks or greater.
- Provides that whoever violates the prohibition is guilty of terminating or attempting to terminate a human pregnancy of a pain-capable unborn child, a fourth degree felony.
- Defines a "pain-capable unborn child" as an unborn child of probable post-fertilization age of 20 weeks or more.
- Provides affirmative defenses to the new prohibition based on (1) the probable post-fertilization age of the unborn child being less than 20 weeks and (2) protecting the life and health of the pregnant woman.
- Conditions (except when there is a medical emergency) the applicability of the affirmative defense that is based on the probable post-fertilization age of the unborn child being less than 20 weeks on the treating physician, or another physician on which the treating physician relies, making a determination regarding the unborn child's probable post-fertilization age.
- Requires the physician to certify in writing, based on the results of tests performed, that in reasonable medical judgment the unborn child's probable post-fertilization age is less than 20 weeks.

- Defines "reasonable medical judgment" as a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.
- Conditions (except when there is a medical emergency) the applicability of the affirmative defense that is based on protecting the life or health of the pregnant woman on all of the following:
  - The treating physician and a different physician, not professionally related to the treating physician, certifies in writing that in reasonable medical judgment the abortion is necessary for the life or health of the pregnant woman.
  - The treating physician terminates or attempts to terminate the pregnancy in a manner that provides the best opportunity for the child to survive unless the physician determines in reasonable medical judgment that termination in that manner poses a greater health risk or risk of death to the pregnant woman than another method.
  - The treating physician certifies in writing the available methods or techniques considered and the reasons for choosing the method or technique employed.
  - The abortion is performed or induced or attempted in a facility with appropriate neonatal services for premature infants.
  - The treating physician arranges for another physician to be present to provide immediate medical care and take other reasonable steps to preserve the unborn child's life and health upon expulsion or extraction.
- Provides that the physician's reasonable medical judgment used in making medical determinations must be based on the facts known to the physician at that time.
- Requires the State Medical Board to revoke a physician's license to practice medicine if the physician violates the provisions governing abortions of pain-capable children.
- Imposes civil liability on a physician who performs or induces or attempts to perform or induce an abortion upon a woman with a pain-capable unborn child, conditioned on the physician having actual knowledge that the affirmative defenses are not applicable or with heedless indifference as to whether the defenses are applicable.
- Permits courts in such civil actions to award injunctive or other appropriate equitable relief, as well as compensatory damages, punitive and exemplary damages, and reasonable attorney's fees and court costs.

#### Additional Information

- **Amendments accepted in committee:**
  - AM2979 (Antani) Eliminates the exemptions to the bill of diabetes and multiple sclerosis. [Supported by Ohio Right to Life, Citizens for Community Values, Dr. David Prentice, Cincinnati Right to Life, Cleveland Right to Life, and Ohio Christian Alliance.]
  - AM 2740 (Condit) LSC technical.
- **Policy Advisor:** Christopher Albanese, (614) 466-2174, chris.albanese@ohiohouse.gov
- **House Companion Bill:** HB 117 (Cupp/Roegner)
- **Other info:** Priority bill for Ohio Right to Life

Updated December 7, 2016

**S.B. 329 JORDAN/FABER**  
**Sunset Law – Revise**

**House Co-Sponsors:**

**Senate Co-Sponsors: Coley, Bacon, Burke, Eklund, Hackett, Hite, Obhof, Peterson, Uecker**

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**Bill History**

- 05/17/2016 – Referred to Government Oversight and Reform
- 09/28/2016 – **REPORTED OUT** – Substitute Bill (3 hearings; 8-3 Patton)
- 09/28/2016 – **PASSED BY SENATE** (22-8 Patton)
- 11/10/2016 – Referred to Government Accountability and Oversight
- 12/08/2016 – *Committee Vote Pending*
- 12/08/2016 – *Floor Vote Pending*

**Stakeholders**

<b>Proponent</b>	<b>Opponent</b>	<b>Interested Party</b>
	<ul style="list-style-type: none"><li>• Lisa Hamler-Fugitt, Co-Chair, Ohio's Future</li><li>• Wendy Patton, Policy Matters</li></ul>	<ul style="list-style-type: none"><li>• Greg Lawson, Buckeye Institute (Senate)</li></ul>

**Key Provisions**

- Establishes a procedure for the General Assembly to periodically review cabinet departments and establishes a schedule for departments that are not renewed to cease operation.
- Authorizes the General Assembly to review, consider, and evaluate the usefulness, performance, and effectiveness of other departments.

**Additional Information**

- **Amendments accepted in committee:** *Pending*
- **Policy Advisor:** Dustin Russell, Majority Deputy Policy Director, 466-2179, [dustin.russell@ohiohouse.gov](mailto:dustin.russell@ohiohouse.gov)

**SUB. S.B. 3 (HITE AND FABER)**

**Schools-exempt high performing districts/student assessments/health services/bidding thresholds for building and repair contracts/develop legislation-high performing districts-improve safety and security**

**House Co-Sponsors:**

**Senate Co-Sponsors: Coley, Gardner, Lehner, Balderson, Beagle, Burke, Eklund, Hottinger, Hughes, Jones, Jordan, LaRose, Manning, Obhof, Oelslager, Patton, Peterson, Seiz, Uecker, Widener**

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**Bill History**

- 2/2/2015 - Introduced
- 3/25/2015 – Reported (9-4) as a substitute bill from Senate Education Committee (4<sup>th</sup> Hearing)
- 3/25/2015 – Senate Floor Vote (24-9)
- 1/27/2016 – House Education Committee (4<sup>th</sup> Hearing, all testimony)
- 12/7/2016 – Reported (12 - 6) as a substitute bill from the House Education Committee (6<sup>th</sup> Hearing)

**Stakeholders**

<b>Proponent</b>	<b>Opponent</b>	<b>Interested Party</b>
<ul style="list-style-type: none"><li>• Steve Rose (Russia Local Schools)</li><li>• Tony Podojil (The Alliance for High Quality Education)</li><li>• Tom Hosler (Perrysburg Schools)</li><li>• Scot Prebles (Brecksville-Broadview Heights City School District)</li><li>• Gail Kist-Kline (Mason City Schools)</li><li>• Brian Poe (Copley-Fairlawn City Schools)</li><li>• Julie Sellers (The Ohio 8)</li><li>• Lori Ward (The Ohio 8)</li></ul>	<ul style="list-style-type: none"><li>• Brad Maguth (Department of Curricular and Instructional Studies, The University of Akron)</li><li>• Jeanne Melive</li></ul>	<ul style="list-style-type: none"><li>• Tom Ash (BASA)</li><li>• Jennifer Hogue (OSBA)</li><li>• Barbara Shaner (OASBO)</li><li>• Andrew Vaughn (The New Teacher Project)</li><li>• Joe Hettler (The New Teacher Project)</li><li>• Kate King (Ohio Association of School Nurses)</li><li>• Ann Sheldon (Ohio Association of Gifted Children)</li><li>• Ann Brennan (Ohio School</li></ul>

<ul style="list-style-type: none"><li>• Kimberly Wilson (Tolles Career and Technical Center)</li><li>• Judy Wells (Apollo Career Center)</li><li>• Jeff Price (Ohio Hi-Point Career Center)</li><li>• Matt Verber (StudentsFirst)</li><li>• Chuck Bartsche (StudentsFirst)</li><li>• Destin Grayson (StudentsFirst)</li><li>• Elyse Giardullo (StudentsFirst)</li><li>• Gabrielle Jackson (StudentsFirst)</li><li>• Gauthan Kaveti (StudentsFirst)</li><li>• Jennifer Hakko (StudentsFirst)</li><li>• LK Williams (StudentsFirst)</li><li>• Marshay Strong (StudentsFirst)</li><li>• Penn Berens (StudentsFirst)</li><li>• Anita Ruffin (StudentsFirst)</li><li>• Shareese Aouad (StudentsFirst)</li><li>• Tom Brady (StudentsFirst)</li><li>• Tony Vitanza (StudentsFirst)</li><li>• Dani Parker (StudentsFirst)</li></ul>		<p>Psychologists Association)</p> <ul style="list-style-type: none"><li>• Mary Beth Freeman (Delaware Area Career Center)</li><li>• Joyce Malainy (Career and Technology Education Centers of Licking County)</li><li>• Scott DiMauro (OEA)</li><li>• Matt Verber (StudentsFirst) – in House</li></ul>
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## **Key Provisions**

### **Administration of Assessments**

- Limits the cumulative amount of time spent on certain assessments to 2% of the school year. Limits the cumulative amount of time spent on taking practice or diagnostic assessments to 1% of the school year. Local school boards must approve this limitation by resolution
- Exempts from the time limitation assessments to students with disabilities, diagnostic assessments for students who fail to attain a passing score on the third-grade reading guarantee, assessments used to identify gifted students, and for alternatives to certain end-of-course examinations
- Eliminates public school requirement to administer diagnostic assessments in writing and math (1<sup>st</sup> and 2<sup>nd</sup> grade).

### **Ohio Teacher Residency (OTR) Program**

- If the State Board proposes an assessment in the 3<sup>rd</sup> or 4<sup>th</sup> year of the program for participants, each district or school may (1) require the participant to pass that assessment, or (2) assess the participant using the participant's annual teacher evaluation.

### **Exemptions for High-Performing School Districts**

- Permits superintendent of a “qualified school district” to employ a person who does not hold an educator license. This person will be hired based off of their qualified experience
- A “high performing school district” would mean on its most recent state report card, the district received (1) at least 85% of the total possible points for the PI score, (2) an “A” for performance indicators met, and (3) at least 93% and 95% for the 4 year and 5 year adjusted cohort graduation rate.

#### Alternative Resident Educator Licensing

- A person who has not completed coursework in the subject area for which he/she is applying to teach would be qualified to receive an alternative resident educator license.

#### School Facilities Commission Proposal

- December 15, 2016: the date by which the School Facilities Commission must develop and submit a legislative proposal assisting school districts to receive funding under the Classroom Facilities Assistance program to the General.

#### Competitive Bidding Threshold

- Increases the competitive bidding threshold from \$25,000 to \$50,000 for when schools are contracting for projects

#### Report on Extracurricular Services

- Removes amount of extracurricular activities offered to students be reported on district or school report card

#### Additional Information

- **AM4052 (Omnibus)** – accepted unanimously on 12/5.
  - **AM1000x1** – This amendment would expand the proposal process the STEM Committee reviews of a school’s qualifications as a STEM school to kindergarten through 12th grade (K-12). Current law is applied to grades six through twelve.

- **AM1520** – Students who are the children of full-time staff members employed by the school may be given preference of admission into a community school, provided the total number of students receiving this preference is less than five percent of the school's total enrollment.
- **AM1529** – This is a conforming change to date in ORC 3313.603 (J) (2) from HB 64 that pushes back the updated plan for awarding credit based on subject area competency implementation into schools for the 2017-2018 school year, rather than the 2016-2017 school year.
- **AM1536x1** – This amendment would allow the County Auditor to fix any sort of error in taxable valuations from TY2012, 2013, and 2014 on the abstracts of real property and real public utility property for an amount of more than \$30 million shall be certified (within sixty days of the bill's enactment). Department of Taxation shall certify the valuations to ODE (within third days). There are two school districts who are presently known and will effect – Granville City Schools and Clear Fork Local School District.
- **AM1542** – Career-Technical Education (CTE) students shall not be required to take Algebra II, and instead may complete a career-based pathway mathematics course approved by ODE as an alternative.
- **AM1545x1** – Students enrolled in an Advanced Placement (AP) course who receive a score of 2 on an AP exam is considered a "proficient" score; students enrolled in an International Baccalaureate (IB) course who receive a score of 2 or 3 on an IB exam is considered a "proficient" score for purposes of graduation requirements for end-of-course exams.
- **AM1548** – Requires school districts and private schools to provide information about advanced standing programs, where students can earn college credit while enrolled in high school, offered by the district or school to all students enrolled in grades six through eleven (rather than grades eight through eleven as a under current law).

  

- **AM1594x1** – This amendment permits community school governing authorities, chartered nonpublic schools, and private institutions of higher education to contract for county sheriffs for security services. Currently, sheriffs can contract with a municipal corporation, township, township police district, joint police district, metropolitan housing authority, port authority, water or sewer district, school district, etc... under current law. Has been agreed to by the Senate.
- **AM1633x5** – ODE shall consider an industry-recognized credential or a license issued by a state agency or board of practice in a vocation that requires a licensure exam as an acceptable measure of technical skill

attainment and shall not require a student with such credential or license to take additional technical assessments.

Additionally, ODE shall not require a student who has participated in or will be participating in a credentialing assessment aligned to the student's career-technical education program or has participated in or will be participating in taking an examination for issuance of a license aligned to the student's career-technical education program to take additional assessments.

However, if the student does not participate in the credentialing assessment or the license examination, the student shall be required to take the applicable technical assessments required by ODE.

The (-5) version added language that ODE shall consult with specific stakeholders when developing the procedures for these credentials and licenses. Also, it clarifies that "technical assessments" does not include the nationally recognized job skills assessment (ACT WorkKeys) to make sure it does not impact a student's graduation.

- **AM1721x2** – Uncodified - For a school district or building where students are eligible for the EdChoice Scholarship, the district or building shall continue to be designated where students are eligible through the 2018-19 SY, regardless of whether or not it meets any of the conditions prescribed in current law. Summary: No school will come on or off the list through the 2018-19 SY.
- **AM1775** – A teacher licensed in special education would be exempt from the requirement of being licensed in a specific grade level (suggestion from ODE). This is a fix to a provision in Sub. S.B. 3 regarding new teachers under the alternative resident educator license prescribed by the bill.
- **AM1790** – Simplifies the section regarding the diploma for a home-school student where each diploma granted shall be accompanied by the official letter of excuse issued by the district superintendent for the student's final year of home education.
- **AM2193** – Adds two more individuals to represent major business enterprises in Ohio (from 2 to 4) to the serve on the BRIGHT New Leaders for Ohio Program Board of Directors. This will help foster new business partnerships throughout the state in conjunction with K-12 and higher education.
- **AM2734** – Amends the membership of community school governing authorities' statute to expand the current definition of "immediate relatives" to include in-laws (current law) residing in the same household as the person serving on the governing authority. (new addition) Also, the amendment clarifies who cannot serve on the governing authority: no present or former member, or immediate relative of a past or former member shall be an officer of the district board or ESC board that serves as the community school's sponsor unless one year has

elapsed since that member's expired term; and/or serves as an employee or consultant for those entities who sponsor a community school unless one year has elapsed since that member's expired term.

- **AM2741x1** – This amendment would make it permissive for the Auditor of State, on their initiative, to conduct a performance audit of an ESC. Also, the amendment adds some uncodified language that the State Auditor must conduct a comprehensive operational study of all ESCs; the State Auditor must also submit a report on the operational study to ODE, SBOE, the State Superintendent, Governor, all ESCs, and both chambers leaders (minority and majority); and the SBOE may use that study in their consideration for the formation of future ESC performance standards. (Lines 13-39)
- **AM2793** – Beginning with the 2017-2018 school year, the board may elect not to conduct an evaluation of a teacher who is participating in the teacher residency for the year during which that teacher takes, for the first time, the majority of the performance-based assessment prescribed by the state board of education for resident educators.

For an individual who is teaching career-technical courses under an alternative resident educator license issued in current law or under SBOE rule, Ohio teacher residency program shall include the following components:

Conditions that, as of September 29, 2015, were necessary for a participant in the third and fourth year of the program to complete prior to applying for the professional educator license;

Four years of successful teaching experience under the alternative resident educator license, as verified by the superintendent of the employing school district;

Successful completion of a career-technical workforce development teacher preparation program that consists of not less than twenty-four semester hours, or the equivalent, from a state university. The teacher preparation program shall include a performance-based assessment, to be verified by the institution.

No CTE licensed instructor under the alternative resident educator shall be required to:

- Complete the OTR program as of 9/29/2015; and
- Take the performance-based assessment.
- Adds uncodified law stating ODE shall collaborate with the OACTE, OACTS (Superintendents), and OACTS (Schools) to assess if these teachers qualify for a professional educators' license, as an alternative to OTRP.

- **AM2833** – (HB 487) As prescribed, the State Board of Education would be required to establish the State Seal of Biliteracy that would be displayed on a student's transcript or diploma to signify the student's proficiency and ability of one or more languages in addition to English. School districts would not be charged with the cost of the seal. The bill was originally reported out of committee on May 25.
- **AM2886** – (HB 441) Permits a student enrolled in a nonpublic school to participate in interscholastic activities at the school district in which the student's nonpublic school is located, so long as certain criteria are met. Prohibits a student who participates in the College Credit Plus (CCP) program from being denied the opportunity to participate in interscholastic athletics offered by the student's school, solely due to the student's participation in the program.
- **AM2908x1** – Real and personal property comprising a convention center or arena owned by a convention facilities authority in a county having a population greater than one million according to the most recent federal decennial census is exempt from taxation, regardless of whether the property is leased to or otherwise operated or managed by a person other than the convention facilities authority.
- **AM2944** – Makes changes to the make-up of JVSD Boards:
  - 1. Removes term limits of the board (two consecutive years)
  - 2. Appointment of the members shall be by the member district boards of education. Members may either be a current or elected board member of a school district board or a person who has experience or knowledge regarding the labor needs of state and region
  - 3. Removes the “more than 30 members” language placed by HB 113.
- **AM2982x1** – This amendment corrects the issue of all students required to take the ACT/SAT in 2017. This places parameters around it through four exemptions: (1) a student who has presented evidence that he/she qualified for a high school diploma prior to the test; (2) a student with significant cognitive disabilities to whom an alternative assessment is administered; (3) a student with an intellectual disability; and (4) any English learners who have been enrolled in a school in the U.S. for less than two years and have no accommodations for the student through ODE.
- **AM3046x1** – Changes from the 2015-2016 school year to the 2017-2018 school year that date bill's provisions regarding the following begin to apply:

- (1) Cumulative assessment time limits (R.C. 3301.0728(A)(1).); and
- (2) Practice and diagnostic assessment time limits (R.C. 3301.0728(A)(2)).

Changes from the 2015-2016 to the 2017-2018 school year the date of the bill's elimination of the requirement for public schools to administer the following diagnostic assessments:

- (1) To students in the first grade, writing and math;
- (2) To students in the second grade, writing and math;

Changes Assembly from December 15, 2015 to December 15, 2017, the date by which the School Facilities Commission must develop and submit a legislative proposal assisting school districts to receive funding under the Classroom Facilities Assistance program to the General. (Section 5.)

Removes the bill's modifications of the alternative teacher evaluation framework (identical to changes enacted in HB 64/131st General Assembly). (R.C. 3319.114.)

Removes the bill's modifications of the Principal and Assistant Principal evaluations under OPES through OTES due to ODE working on a fix in the ESSA update for next year.

Removes the bill's modifications to the third grade ELA assessments.

- **AM3145** –The amendment is technical and makes an operational change to how the Ohio Department of Higher Education will administer funds for the Workforce Grant Program created in H.B. 1 (Schuring). According to ODHE, this is a needed fix to start the program.
- **AM3170x1** – HB 416 - Permits a state university or college to participate in a joint self-insurance pool to provide personal liability coverage to protect the institution and its employees against loss incurred while undertaking official duties. Bill was passed out of committee unanimously with no opponents.  
**(Amended in Committee – See AM4186)**
- **AM3191x1** – A school district that meets the requirements under S.B. 3 shall be qualified for the exemptions for three years, beginning with the school year in which the qualifying report card is issued.
- **AM3198** –The amendment ensures that an approved ballot levy cannot be approved for longer than it is statutorily allowed to be.

- **Amendments accepted outside the Omnibus**

- **AM3252**— Any chartered nonpublic school may elect to administer the Kindergarten Readiness Assessment (KRA) to all kindergarten students enrolled. If so, the head of the school shall contact ODE no later than March 31st of the prior school year. ODE shall furnish the test at no cost to the school. In administering the assessment, the school shall:
  - (1) enter into a written agreement with ODE specifying the school will share each participating student's assessment data with ODE and assigned a SSID number;
  - (2) require the assessment to be administered by a teacher who has completed training on giving out the KRA or has been trained by another person also certified; and
  - (3) administer the test the same as all other school districts required to do.
- **AM4059x2**—
  - Under the amendment, the non-licensed teacher would “register” with the department. All this requires is submission of the background check that SB3 requires of them and that they register “in a manner prescribed by the department.”
  - This will allow ODE to login information for CORE, their records keeping system, without creating a license or permit. It will mirror what every other teacher in the state uses to communicate with the department.
  - Most importantly, it also meets the current law requirements for ODE to submit them to Rapback. Currently, ORC 109.5721(B) requires that those in Rapback be employed with, licensed by, or approved by ODE. The definition of “licensed by” [109.5721(A)(2)] includes “the authorization, evidenced by a...registration.” This change to include the word registration allows ODE to enter these individuals into Rapback without creating a permit (FYI, Rapback continuously monitors the records of every licensed teacher in Ohio. For reference, the Office of Professional Conduct receives between 3-5 hits per day from Rapback on licensed teachers. This system is important for ensuring that all teachers hired under this provision of SB3 are maintaining a safe environment for students.)
  - ODE must also promptly notify the employing district of a Rapback hit and the amendment adds that the department may take any action authorized under ORC 3319.31 and 3319.311. These are the sections that allow the department's Office of Professional Conduct to investigate Rapback hits.
  - Many of the Rapback hits ODE receives are for “nonbarrable offenses,” things like theft and drug abuse. This change allows the department to investigate these charges and notify the employing district.

- Also under the amendment, ODE would be allowed to investigate claims of negligence or immoral acts (mistreatment of students, unprofessional relationship with a student, etc...) and ensure that a teacher guilty of these violations would not be able to be hired by another district.
- Lastly, districts would not be allowed to hire these unlicensed teachers that have committed “barrable offenses” such as violent felonies and sex crimes.
- **AM4172 (Koehler)** – Removed AM1528 from the Omnibus. That amendment dealt with removing from current law that Kindergarten Reading Guarantee diagnostic assessments may be administered electronically using live, two-way video and audio connections, whereby the teacher administering the assessment may be in a separate location from the student.
- **AM4186** – Amended AM3170x1 in the Omnibus to include a technical change from the Auditor of State’s office – to remove the requirement of a certified audited financial statement to be filed with the AOS office and state that an insurance pool administrator shall provide a copy of the report prescribed under the Omnibus amendment (report of aggregate amounts so reserved and aggregate disbursements made from the funds of the joint self-insurance pool).
- **AM4202** – This amendment would no longer have school districts report their blizzard bag policy to ODE, and only have to (permissive) adopt a resolution from the local school board if approved.

- **Policy Advisor:** Nick Derksen, 614.466.2361 (Office); 937.602.2174 (Cell); [nick.derksen@ohiohouse.gov](mailto:nick.derksen@ohiohouse.gov)

**From:** Lundregan, Scott  
**Sent:** Thursday, December 8, 2016 2:34 PM  
**To:** Sarko, Alyssa; Yapple, Tyler  
**Subject:** caucus first concurrence list  
**Attachments:** H.B. 18.docx; HB505\_HuffmanandPelanda.pdf; Bill Briefing (HB 48 - Maag).docx; Bill Briefing (HB 341 - Young, Sweeney).docx; Bill Briefing (HB 455 - Patterson, Roegner).pdf; HB290\_SpragueAnielski.pdf; HB89DeVitis.pdf; HB216\_(Pelanda).pdf; HB 384 Bill Briefing (Schaffer, Duffey).docx

**Follow Up Flag:** Follow up

**Flag Status:** Completed

1. House Bill 89 -- MEDICAID SCHOOL PROGRAM (DeVitis, A)
2. House Bill 216 -- ADVANCED PRACTICE REGISTERED NURSES (Pelanda, D)
3. House Bill 341 – Reps. Young and Sweeney – Towing Laws (Young)
4. House Bill 384 – Reps. Schaffer and Duffey – Higher Education Performance Audits (Duffey)
5. House Bill 455 BOARDING SCHOOL ZONE (Patterson, Roegner) (Roegner)
6. House Bill 505 -- BIOLOGICAL PRODUCTS-PHARMACISTS (Huffman, Pelanda) (Huffman)
7. House Bill 18--FLAG-BANNER DISPLAY (Rep. Anne Gonzales, Rep. Tim Ginter) (Gonzales)
8. House Bill 48 – Rep. Maag – 2nd amendment clarification (Maag)
9. House Bill 290 USFDA DRUGS-TERMINALLY ILL (Sprague, R)

**Scott Lundregan**  
Majority Deputy Legal Counsel  
House Republican Caucus  
Ohio House of Representatives  
614-466-1460

**H.B. 18 (GONZALES, GINTER)**  
**Land use controls-not restrict display of service flags/star banners/U.S. flag**

**House Co-Sponsors:** Amstutz, Becker, Blessing, Brenner, Buchy, Dever, Grossman, Hayes, Johnson, T., Kraus, Leland, Phillips, Rezabek, Roegner, Terhar, Vitale, Young, Perales, Anielski, Bishoff, Landis, O'Brien, M., Retherford, Zeltwanger, Antani, Antonio, Ashford, Baker, Barnes, Boose, Brown, Burkley, Butler, Celebreeze, Clyde, Craig, Cupp, Derickson, DeVitis, Dovilla, Driehaus, Duffey, Green, Hackett, Hagan, Hall, Hambley, Henne, Hill, Johnson, G., Koehler, Kuhns, Kunze, Lepore-Hagan, McClain, McColley, O'Brien, S., Patterson, Ramos, Reece, Reineke, Rogers, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sears, Sheehy, Slaby, Slesnick, Smith, K., Smith, R., Sprague, Sweeney, Thompson, Speaker Rosenberger

**Senate Co-Sponsors:** LaRose, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Hite, Hottinger, Hughes, Jones, Lehner, Manning, Oelslager, Patton, Peterson, Uecker

**Bill History**

12/06/2016 **PASSED BY SENATE**; Vote 31-0

12/06/2016 Informally Passed

11/18/2015 **SUBSTITUTE BILL ACCEPTED & REPORTED OUT**, Senate State and Local Government, (Third Hearing)

10/20/2015 Senate State and Local Government, (Second Hearing)

10/06/2015 Senate State and Local Government, (First Hearing)

06/16/2015 Referred to Senate State and Local Government

06/10/2015 **PASSED BY HOUSE**; Vote 95-0

05/19/2015 **REPORTED OUT**, House Armed Services, Veterans Affairs and Public Safety, (Third Hearing)

04/14/2015 **BILL AMENDED**, House Armed Services, Veterans Affairs and Public Safety, (Second Hearing)

03/03/2015 House Armed Services, Veterans Affairs and Public Safety, (First Hearing)

01/28/2015 Referred to House Armed Services, Veterans Affairs and Public Safety

01/28/2015 Introduced

**Stakeholders**

<b>Proponent</b>	<b>Opponent</b>	<b>Interested Party</b>
<ul style="list-style-type: none"><li>• *Dan Acton (Ohio Real Estate Investors Association)</li><li>• *Tim Williams (Ohio Manufactured Homes Association)</li><li>• Robert Poole (State Commander of Veterans of Foreign Wars)</li></ul> <p>*Proponent after amendment adopted</p>		

**Key Provisions**

- Prohibits manufactured home park operators and landlords from including a provision in a rental agreement or otherwise prohibiting the display of the United States flag, the Ohio flag, the POW/MIA flag, or service flags approved by the United States Secretary of Defense.
- Prohibits neighborhood associations and condominium associations from including a provision in a governing document that prohibits the display of the Ohio flag or a service flag, subject to specified conditions, and prohibits the trustees of the association from construing a provision in a governing document for that purpose.
- Provides that such a prohibited provision or construction is void as against public policy.
- Establishes criteria to be discussed with a landlord or manufactured home operator when a tenant seeks to display a United States flag on a flag pole or by an affixed bracket.

#### **Additional Information**

- **Amendments accepted in House committee:**
  - AM0390, Gonzales, to include the POW/MIA flag and to require tenant to notify landlord prior to the installation of a pole or bracket, and to determine the location of any underground utilities in the area of the planned excavation.
- **Senate Accepted Sub Bill with amendments:**
  - To include Ohio Flag and to establish criteria for tenant discussing with landlord.
- **Policy Advisor:** Ryan Lehman, 614-466-6505, [ryan.lehman@ohiohouse.gov](mailto:ryan.lehman@ohiohouse.gov)

**SUB H.B. 505 (HUFFMAN AND PELANDA)**  
Biological Products-Pharmacists

**House Co-Sponsors:** Representatives Becker, Johnson, T., Sprague, Ginter, Barnes, Brown, Butler, Schuring

**Bill History**

- 5/4/2016 – Health House Committee (3 Hearings), (18-0)
- 5/11/16 – House Floor Vote (96-0)
- 11/30/16 – Senate Health & Human Services (4 hearings) (11-0)
- 12/7/16 – Senate Floor Vote (32-0) Emergency Clause (32-0)
- 12/8/16 – House Concurrence Vote Scheduled

**Stakeholders**

<b>Proponent</b>	<b>Opponent</b>	<b>Interested Party</b>
<ul style="list-style-type: none"><li>• Dr. Phillip Schneider (Alliance for Safe Biologic Medicines)</li><li>• Jeff Stephens (American Cancer Society) – House &amp; Senate</li><li>• Dr. Tomas Felix (Amgen)</li><li>• Richard Engelhardt (Biotechnology Innovation Organization)</li><li>• Deb Hackathorn – Biotechnology Innovation Org (SENATE)</li><li>• Judy Nagy – Global Healthy Living Foundation (SENATE)</li><li>• Joann Helon – Arthritis Foundation (SENATE)</li></ul>	<ul style="list-style-type: none"><li>• Sean Mentel (America's Health Insurance Plans) - House</li></ul>	<ul style="list-style-type: none"><li>• Ernest Boyd (Ohio Pharmacists Association)</li><li>• Dave Dillahunt, Ohio Hematology Oncology Society</li><li>• Miranda Motter (OAHP) - SENATE</li></ul>

**Key Provisions**

- Authorizes substitution of an interchangeable biological product for a prescribed biological product under circumstances and conditions similar to those of current law governing substitution of a generically equivalent drug for a prescribed drug.
- Defines "biological product" and "interchangeable biological product" by reference to federal law and provides that the definitions automatically include certain changes to the federal law, subject to rulemaking by the State Board of Pharmacy.
- Specifies information a pharmacist who dispenses a drug for which an interchangeable biological product is available must communicate to the prescriber.
- Modifies existing law with regard to how a prescriber may prohibit a pharmacist from substituting a generic drug for a drug prescribed by its brand name and applies this law to the substitution of biological products.

**Additional Information (over)**

## **SYNOPSIS OF COMMITTEE AMENDMENTS**

### **Prior authorization requirements**

- Modifies existing law, unchanged by the House, concerning prior authorization requirements of health care insurers and Medicaid, as follows:
  - Health care services in general: Changes the starting date of the period within which a prior authorization review must be completed from (a) the date the health care insurer or Medicaid program receives all information needed to process the review to (b) the date the request for prior authorization is received.
  - Drug substitution by pharmacists: Specifies the following concerning how prior authorization requirements relate to the authority of pharmacists to substitute generic drugs and interchangeable biological products for brand name drugs and products:
    - (1) When an interchangeable biological product is released, a substitution may be made even if a prior authorization request had a 12-month approval;
    - (2) Any substitution of a drug or biological product must be done in accordance with existing law and the bill.

### **Exemption from health insuring corporation application review requirements**

- Adds to the bill a provision exempting from specified application review under the Health Insuring Corporation Law, unchanged by the House, health insuring corporations that solely cover individuals in the Federal Employees Health Benefits Program.

### **Physician assistant supervision agreements**

- Adds to the bill a provision delaying by one year the expiration of a supervision agreement between a physician and physician assistant if, under current law, the agreement would expire on January 31, 2017.

### **Emergency clause and effective dates**

- Adds a provision declaring the bill to be an emergency measure and applies the resulting immediate effective date to the provision concerning when physician assistant supervision agreements expire.
- Delays the effective date of the remaining provisions until the 91st day after the bill's effective date.

  

- **Policy Advisor:** Lisa Griffin, 937-554-6372, lisa.griffin@ohiohouse.gov

**AM. SUB. H.B. 48 (MAAG)**

Concealed carry-affirmative defenses-carrying firearm in certain vulnerable areas

**House Co-Sponsors:** Hood, Rutherford, Vitale, Brinkman, Becker, Buchy, LaTourette, Hayes, Thompson, Kraus, Amstutz, Antani, Blessing, Boose, Brenner, Burkley, Conditt, Dovilla, Ginter, Green, Grossman, Hackett, Hambley, Henne, Hill, Huffman, T. Johnson, Koehler, Landis, McClain, McColley, Pelanda, Perales, Ruhl, Schaffer, Sears, R. Smith, Sprague, Terhar, Young, Zeltwanger, Rosenberger

**Senate Co-Sponsors:** Coley, Jordan, Seitz, Ekland, Hackett, Uecker, Obhof, Faber

**Bill History**

- 2/10/15 – Introduced
- 6/17/15 – Reported by House State Government Committee (4 Hearings), (9-2)
- 11/17/15 – House Floor Vote (68-29)
- 12/7/16 – Reported by Senate Government Oversight and Reform Committee (5 Hearings)
- 12/7/16 – Senate Floor Vote (23-9)
- House Concurrence Vote Pending

**Stakeholders**

<b>Proponent</b>	<b>Opponent</b>	<b>Interested Party</b>
<ul style="list-style-type: none"> <li>• Sean Maloney and Jim Irvine (Buckeye Firearms)</li> <li>• Mike Newbern (Students for Concealed Carry)</li> <li>• Bob Cornwell (Buckeye State Sheriffs' Association)</li> <li>• Gary Witt (Ohioans for Concealed Carry)</li> <li>• Pat and Lou Williams, Allison Lawlor, Brian Anse Patrick (private citizens)</li> <li>• John Hohenwarter (NRA)</li> </ul>	<ul style="list-style-type: none"> <li>• John Gilchrist (Association of Chiefs of Police)</li> <li>• Michele Mueller (Moms Demand Action for GunSense)</li> <li>• Jennifer Thorne (Coalition Against Gun Violence)</li> <li>• Rosie Craig (League of Women Voters)</li> <li>• Steve Hall (Prosecuting Attorneys Association)</li> <li>• Kristine Eggert (God Before Guns)</li> <li>• Andy Pelosi (Campaign to Keep</li> </ul>	<ul style="list-style-type: none"> <li>• Tarak Underiner and Katelin Michelle Nealeigh (Buckeyes for Concealed Carry on Campus)</li> </ul>

	<p>Guns Off Campus)</p> <ul style="list-style-type: none"><li>• Safe Guns Coalition</li><li>• Charles Gautsche, Susan Snyder, Drew Demko, Kathryn Stoesser, John Elder, Robert Grow (private citizens)</li><li>• David Egger (Ohioans for Safe Communities)</li><li>• Becky Higgins (Ohio Education Association)</li><li>• Rebecca Flowers Schemess (Brady Campaign to Prevent Gun Violence)</li><li>• Beth Tsvetkoff (ohio Alliance of YMCAs)</li></ul>	
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#### **Key Provisions – As Passed by the House**

- Removes daycares from the list of prohibited places;
- Allows CHL holders to carry in non-secure areas of police stations and airports;
- Allows CHL holders to carry in government buildings (unless otherwise prohibited) if the legislative authority of the building enacts permitting legislation or ordinance;
- Specifies that a CHL holder may enter a school safety zone if the person stays in their motor vehicle with their weapon or, if they exit, they leave the handgun in the vehicle and lock the vehicle.
- Allows institutions of higher education to approve concealed carry on campus and reduces the offense for unauthorized carry on campus to a minor misdemeanor if the offender produces a valid CHL within ten days of arrest;
- Gives the county sheriff broader scope in using CHL fee revenue with approval of the board of county commissioners.

#### **Additional Information**

- **Summary of Senate Changes:**
  - Creates an exception to the prohibition against possession of an object indistinguishable from a firearm in a school safety zone for use in school safety training.

- Provides that the prohibition against deadly weapons in school safety zones does not apply to an officer, agent, or employee of this or any other state or the United States, or a law enforcement officer, who is authorized to carry deadly weapons or dangerous ordnance, regardless of whether the officer, agent, or employee is acting within the scope of the person's duties.
  - *Note: Amended on the floor. See below.*
- Removes language from the bill that modified the prohibition against carrying a concealed handgun into a police station.
- Defines the "governing body" of an institution of higher education as the board of trustees, board of directors, commission, or other body responsible for the management, conduct, and control of one or more institutions of higher education.
- Provides that if a person being arrested for a violation of R.C. 2923.12(A)(2) (knowingly carrying or having, concealed on the person's person or concealed ready at hand, a handgun other than a dangerous ordnance), illegally carries a concealed weapon onto an institution of higher education, the person is subject to the following penalties:
  - (1) If the person produces a valid concealed handgun license within ten days after the arrest and has not previously been convicted of or pleaded guilty to a violation of R.C. 2923.12(A)(2), a minor misdemeanor;
  - (2) If the person has previously been convicted of or pleaded guilty to a violation of R.C. 2923.12(A)(2), a fourth degree misdemeanor; (3) If the person has previously been convicted of or pleaded guilty to two violations of R.C. 2923.12(A)(2), a third degree misdemeanor; Legislative Service Commission -2- Senate Comm. Amends to Sub. H.B. 48
  - (3) If the person has previously been convicted of or pleaded guilty to two violations of R.C. 2923.12(A)(2), a third degree misdemeanor;
  - (4) If the person previously has been convicted of or pleaded guilty to three or more violations of R.C. 2923.12(A)(2), or convicted of or pleaded guilty to any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is a dangerous ordnance, a second degree misdemeanor.
- Modifies existing law by providing that a valid concealed handgun license does not authorize the licensee to carry a concealed handgun into any building that is a government facility of this state or a political subdivision of this state to which, during the building's normal hours of operation, access is restricted at the main point of entry by the continuous posting of security personnel and the use of security screening measures.

- Provides that a children's crisis care facility that has as its primary purpose the provision of residential and other care to infants who are born drug exposed and that regularly maintains on its premises schedule II controlled substances may do both of the following:
  - (1) Maintain firearms at the facility;
  - (2) Permit security personnel to bear firearms while on the grounds of the facility.
- Provides that if a person knowingly violates a posted prohibition against carrying firearms or concealed weapons into a child day-care center, type A family day-care home, or type B family day-care home, unless the person is a licensee who resides in the family day-care home, the person is guilty of aggravated trespass, a first degree misdemeanor. If the person previously has been convicted of a violation of the above described prohibition or of any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is a dangerous ordnance, the offender is guilty of a fourth degree felony.
- **Floor Amendments:**
  - AM4341-1 (Coley): Clarifies that only law enforcement officers can carry into a school safety zone regardless of whether they are acting within their official duties.
  - AM4345 (Coley): Allows County Commissioners to prohibit firearms in county child welfare and child support agencies.
- **Policy Advisor:** Marisa Myers, 614-728-5523, Marisa.Myers@ohiohouse.gov

**SUB H.B. 341 (YOUNG SWEENEY)**  
Towing law-changes

**House Co-Sponsors:** Becker, Boose, Hall, Rutherford, Terhar, Thompson, Amstutz, Barnes, Boyd, Conditt, Dever, Green, Grossman, Hambley, Howse, G. Johnson, Rogers

**Bill History**

- 9/28/15 – Introduced
- 5/3/16 – Reported by House State Government Committee (6 Hearings), (12-0)
- 5/18/16 – House Floor Vote (92-4)
- 12/6/16 – Reported by Senate Transportation, Commerce, and Labor Committee
- 12/7/16 – Senate Floor Vote (32-0)
- House Concurrence Vote Pending

**Stakeholders**

<b>Proponent</b>	<b>Opponent</b>	<b>Interested Party</b>
<ul style="list-style-type: none"><li>• Andy Herf (Association of Professional Towers – Ohio)</li><li>• Sgt. Keith Larson (Cleveland Police Dept.)</li><li>• Jordan Davis (Towing &amp; Recovery Association of Ohio)</li><li>• Jim Shriner (TRAO/Broad and James Towing) (As Introduced)</li><li>• Tim Duffey (TRAO)</li><li>• James Chilcoat (Automotive Service Association of Ohio)</li><li>• Jeffrey Junkas (Property Casualty Insurers)</li></ul>	<ul style="list-style-type: none"><li>• Jim Shriner (Broad and James Towing) (As Passed by the House)</li></ul>	<ul style="list-style-type: none"><li>• Dean Fadel (Ohio Insurance Institute)</li><li>• Jim Shriner (Broad and James Towing) (As Passed by the Senate)</li></ul>

**Key Provisions – As Passed By The House**

- Establishes a process by which a repair facility, towing service, or storage facility may obtain a salvage certificate of title for purposes of disposing of the vehicle if the vehicle:
  - Has a value of less than \$1,500;
  - Is apparently inoperable;
  - And is impossible to restore for highway operation.
- Specifies that a repair garage, towing service, or storage facility may obtain the title to a motor vehicle through the unclaimed vehicle affidavit process if the value of the vehicle is less than \$4,400 (rather than \$3,500 as under current law).
- Allows an entity using the unclaimed vehicle affidavit process to deduct towing and storage fees when they remit payment to the clerk of courts for the value of the vehicle in order to obtain title.
- Specifies that a repair garage or storage facility may take title to the vehicle under the unclaimed vehicle affidavit process even if the person who requested the repair or agreed to storage is not the owner of the vehicle.
- Modifies the penalties for towing violations to create “major” and “minor” violations that may be imposed by a court.
- Prohibits a towing service from operating a towing vehicle without a valid certificate of public convenience and necessity.
- Prohibits a towing service from removing a vehicle from a private tow-away zone without a written contract with the owner of the property.
- Prohibits a towing service from knowingly offering or providing compensation in exchange for the authority to tow vehicles.
- Replaces the statutorily prescribed maximum towing and storage fees from private property or a private two-away zone with maximum fees to be established by the PUCO by rule.
- Requires the PUCO to review the fees every five years and adjust any fee the Commission determines is not just, reasonable, or compensatory.
- Allows a municipal corporation to establish towing and storage fees for removal from private property that differ from the PUCO.
- Specifies that a lienholder is not responsible for storage fees prior to the date they were notified that the vehicle has been towed.
- Authorizes a towing service or storage facility to charge an after-hours retrieval fee.
- Allows a person to use a major credit card to pay a “drop fee,” which is a reduced fee that may be paid for release of a vehicle that has been prepared for removal but not yet removed.
- Modifies the requirement that a towing service must deliver a vehicle towed from private property or a private tow-away zone to a place of storage within two hours by establishing an exception that applies if delivery is not practicable.
- Requires a towing service or storage facility, in certain circumstances, to notify the owner of a towed vehicle that the owner may file a civil action to dispute the lawfulness of a tow.

- Extends the deadline by which a towing service or storage facility must notify the owner of a vehicle that the vehicle has been towed from a private tow-away zone.
- Extends the deadline by which the sheriff or chief of police must notify the owner of a vehicle that the vehicle has been ordered into storage by law enforcement.
- Eliminates the requirement that a storage facility remain open during periods of time that a towing service is towing a vehicle.
- Eliminates the requirement that a storage facility must ensure that, within three hours of receiving a call from the owner of a towed vehicle, a representative of the storage facility is available to release the vehicle.
- Prohibits the owners of a motor vehicle that has been towed from retrieving personal items if it would endanger their safety unless they sign a waiver of liability.
- Modifies the requirement that a towing service must provide a written estimate for towing services under specified circumstances so that the requirement only applies if the estimate is requested.
- Establishes the Towing and Quick Clear Board – consisting of members representing the Department of Transportation or the Ohio Turnpike and Infrastructure Commission, the Department of Public Safety, the Public Utilities Commission, the towing industry, and the motor vehicle insurance industry – to hear and resolve disputes over towing bills.

#### **Additional Information**

- **Summary of Senate Changes:**
  - Removes a provision that allowed a towing service or storage facility to obtain title to a motor vehicle that was removed from a private tow-away zone if the vehicle had a value of less than \$4,400, rather than a value of less than \$3,500 as under current law.
  - Removes a provision that allowed a repair garage or place of storage to obtain title to an unclaimed motor vehicle if the vehicle had a value of less than \$4,400, rather than a value of less than \$3,500 as under current law.
  - Requires a vehicle to be "inoperable" rather than "apparently inoperable" in order to be eligible for the issuance of a salvage title under the bill's provisions.
  - Requires a salvage motor vehicle auction that is seeking a salvage title to a motor vehicle to send notice to the owner of the vehicle and any known lienholder using a nationally recognized courier service, rather than via certified mail, return receipt requested, as under current law.
  - Specifies that any person who holds title to a property, any person who is a lessee or sublessee, a person who is authorized to manage the property,

or a duly authorized agent of any aforementioned person may establish a private tow-away zone.

- Prohibits a towing service from knowingly offering or providing *monetary* compensation in exchange for the authorization to tow motor vehicles, instead of *any compensation, financial or otherwise*, as under the House-passed version of the bill.
- Establishes an exception to the requirement that a towing service accept payment via credit card for a "drop fee" by specifying that the requirement does not apply if the towing service uses a mobile credit card processor and mobile service is not available at the time of the transaction.
- Allows a towing service to deliver a vehicle towed from private property or a private tow-away zone to a place of storage after the required two-hour time frame if the delay is due to an uncontrollable force, natural disaster, or unforeseeable event.
- Requires a towing service that has removed a vehicle from a private tow-away zone to cause a search of the records of the Bureau of Motor Vehicles for the owner and any lienholder of the vehicle within three business days of the removal, rather than five business days as under the House-passed version of the bill.
- Requires the Public Utilities Commission to adopt rules that establish towing related fees pursuant to Chapter 119., rather than pursuant to the Chapter 111. abbreviated rule-making procedures.
- Removes provisions that establish the Towing and Quick Clear Board and the related dispute resolution process.
- Authorizes an insurance company to bring a civil action against a towing service for purposes of recovering a motor vehicle that has been towed, objecting to the amount billed by the towing service, or both.
- Removes provisions that allow a towing service to charge an after-hours retrieval fee for items retrieved from a vehicle that was towed from a private tow-away zone.
- Reinstates the requirement established under current law that if a vehicle owner calls to retrieve a vehicle towed from a private tow-away zone, a storage facility must make a representative available to release the vehicle to the owner within three hours.

- **Policy Advisor:** Marisa Myers, 614-728-5523, Marisa.Myers@ohiohouse.gov

**H.B. 455 (PATTERSON, ROEGLER)**  
Boarding school-traffic zone-special speed limit

**House Co-Sponsors:** M. O'Brien, Rogers, Arndt

**Bill History**

- 2/9/16 – Introduced
- 5/4/16 – Reported by House Local Government Committee (4 Hearings), (12-0)
- 5/18/2016 – House Floor Vote (95-0)
- 12/7/2016 – Senate Floor Vote (As amended in Committee) (31-0)
- House Concurrence Pending

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• Dan Dodd (Ohio Association of Independent Schools)</li><li>• Tim Viands (Grand River Academy)</li><li>• Ohio Aviation Association</li></ul>		

**Synopsis of Committee Amendments**

**Speed limit changes**

- Establishes a 35 mph speed limit for county and township through highways located within national parks that span two or more counties (Cuyahoga Valley National Park).
- Regional airport and port authority meetings
- Allows regional airport authority boards of trustees and port authority boards of directors to hold meetings by interactive video conference or by teleconference, regardless of the Open Meetings Act's requirements.
- Requires such a board, if it wishes to hold meetings by interactive video conference or teleconference, to adopt rules that, at a minimum, require meetings to be conducted in a certain manner.

**Memorial highways**

Designates the following memorial highways:

- Hilliard Patrol Officer Sean Johnson;
- Trooper Kenneth Velez;
- Marine Gunnery Sgt. Robert L. Gilbert II;
- U.S. Army Specialist Jason N. Cox;
- Air Force Master Sgt. William L. McDaniel II; and
- James F. Dicke, Sr.

**Special license plates**

Establishes the following special license plates:

- Conquer Childhood Cancer;

*Updated December 7, 2016*

- University of Notre Dame;
- Triple Negative Breast Cancer Awareness;
- Improved Benevolent and Protective Order of Elks of the World (IBPOEW);
- Down Syndrome Awareness; and
- Buckeye Corvette.

**Key Provisions**

- **Speed limit changes**
  - Authorizes the legislative authority of a municipal corporation or township in which a boarding school is located to establish a "boarding school zone."
  - Allows the legislative authority to alter the speed limit on any street or highway within the "boarding school zone" and to specify the hours during which the altered speed limit is in effect.
  - Establishes a 35 mph speed limit for county and township through highways located within national parks that span two or more counties (Cuyahoga Valley National Park).
- **Regional airport and port authority meetings**
  - Allows regional airport authority boards of trustees and port authority boards of directors to hold meetings by interactive video conference or by teleconference, regardless of the Open Meetings Act's requirements.
  - Requires such a board, if it wishes to hold meetings by interactive video conference or teleconference, to adopt rules that, at a minimum, require meetings to be conducted in a certain manner.
- **Designated highways and special license plates**
  - Designates multiple memorial highways.
  - Creates multiple special license plates.

**Additional Information**

- **Policy Advisor:** Marisa Myers, 614-728-5523, Marisa.Myers@ohiohouse.gov

**SUB. H.B. 290 (SPRAGUE, ANIELSKI)  
Terminally ill patients-authorize treating with unapproved drugs**

**House Co-Sponsors:** Blessing, Dever, Grossman, Hackett, Henne, Rezabek, Romanchuk, Thompson, Huffman, Antonio, Barnes, Bishoff, Brown, Butler, Johnson, T., Kuhns, LaTourette, Sykes, Antani, Arndt, Baker, Boccieri, Boose, Boyd, Burkley, Clyde, Dovilla, Fedor, Ginter, Green, Hagan, Hall, Hambley, Johnson, G., Lepore-Hagan, Maag, Manning, McClain, O'Brien, M., O'Brien, S., Patterson, Perales, Ramos, Reineke, Roegner, Ruhl, Ryan, Schuring, Sheehy, Young

**Senate Co-Sponsors:** Brown, Tavares, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Hite, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Thomas, Uecker

**Bill History**

- 1/20/2016 – House Health and Aging Committee (4 Hearings), (16-0)
- 2/3/16 – House Floor Vote 96-1
- 11/30/16 – Senate Health & Human Services (4 hearings) (11-0)
- 12/6/16 – Senate Floor Vote (31-0)
- 12/8/16 – House Concurrence Vote Scheduled

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• Kurt Altman (Goldwater Institute)</li><li>• Kelly Maynard (Little Hercules Foundation)</li><li>• Laura McLinn (Indy Learning Center)</li><li>• Brian, Karen, Jack, Mark, and Amanda Wolf</li><li>• Connie Ament</li><li>• Tim Paulus</li><li>• John Stacy (Ohio Council for Home Care &amp; Hospice)</li><li>• Tim Maglione – OSMA (House &amp; Senate)</li><li>• Jennifer Carlson – OSU James Cancer Hospital &amp; Solove Research Institute (SENATE)</li><li>• Starlee Coleman – Goldwater Institute (SENATE)</li><li>• Brian Wolf</li><li>• Mardee DeSantis</li><li>• Tara Clark</li><li>• Kelly Maynard</li></ul>	<ul style="list-style-type: none"><li>• None</li></ul>	<ul style="list-style-type: none"><li>• None</li></ul>

**Key Provisions – As Passed by the House**

- Permits use of an investigational drug, product, or device that is still in clinical trials, and has not been approved for general use by the United States Food and Drug Administration to treat an eligible patient suffering from a terminal illness.
- Provides qualified immunity to a physician who recommends or treats an eligible patient with an investigational drug, product, or device as authorized by the bill.
- Authorizes, but does not require, the manufacturer to provide an investigational drug, product, or device to an eligible patient or the patient's treating physician.
- Provides qualified immunity to a manufacturer or terminal distributor of dangerous drugs that provides or distributes an investigational drug, product, or device as authorized by the bill.
- Restricts the possession, purchase, distribution, and sale of investigational drugs and products by wholesale distributors of dangerous drugs and licensed terminal distributors of dangerous drugs.
- Provides that the bill does not require a health care insurer, the Medicaid program or any other government health care program, or any other entity that offers health care benefits, to provide coverage for the costs incurred from the use of an investigational drug, product, or device.

**Additional Information**

- **SENATE SYNOPSIS OF COMMITTEE AMENDMENTS:**

**Treatment with investigational drugs, products, or devices**

Modifies the House-passed provisions regarding treatment of a patient with an investigational drug, product or device, as follows:

- (1) Adds the following to the information that must be provided to the patient to secure the patient's informed consent for treatment:
  - A statement that there is no proof of efficacy;
  - An explanation that any health insurance or government program that covers the individual may not include coverage of any charges by the treating physician or another health care provider for any care or treatment resulting from the patient's use of the investigational drug, product, or device;
  - A statement explaining that the drug manufacturer, the pharmacy or other distributor, and the patient's treating physician or administering hospital are not liable for civil damages or subject to criminal prosecution or professional disciplinary action related to providing, distributing, or treating with an investigational drug, product, or device, unless there is willful or wanton misconduct.
- (2) Requires the State Medical Board, as soon as practicable after the bill's effective date, to create a template of the form to be used by a treating physician to secure a patient's informed consent.
- (3) Specifies that the bill's provisions do not create a new cause of action or substantive legal right against a treating physician or hospital related to a physician's not recommending the use of an investigational drug, product, or device.
- (4) Provides that an individual is not an eligible patient if a clinical trial is actively being conducted within 100 miles of the individual's residence (unless the individual applied and

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was denied access to the trial), instead of the House-passed provision that disqualified a patient if a clinical trial was being conducted within the individual's county of residence or an adjoining county.

**County home superintendent or administrator**

- Adds to the bill a provision permitting a board of county commissioners to enter into a contract with an entity that agrees to select a county home superintendent or administrator with the county board's advice and consent.
- Specifies that (1) if a county home superintendent or administrator is a public employee, the superintendent or administrator is the county home's appointing authority (with authority to hire and fire employees), and (2) if the superintendent or administrator is not a public employee, the county board is the county home's appointing authority for all public employees of the county home.

**Continuing education for volunteer health care services**

- Adds a provision permitting certain health care professionals to satisfy up to one-third of their continuing education requirements by providing uncompensated health care services to indigent and uninsured persons.

- **Policy Advisor:** Lisa Griffin, 937-554-6372, lisa.griffin@ohiohouse.gov

**H.B. 89 (DEVITIS)**  
Medicaid in School Program

**House Co-Sponsors:** Ginter, Grossman, Rezabek, Boose, McColley, Brenner, Romanchuk, Sprague, Hagan, Duffey, Gonzales, Butler, Cera, Patterson, Sykes

**Bill History**

- 1/20/2016 – House Health and Aging Committee (6 Hearings), (14-1), (Sears-NO)
- 5/11/16 – House Floor Vote (89-7)
- 11/30/16 – Senate Education Committee (3 hearings) (10-1)
- 12/7/16 – Senate Floor Vote (30-1)
- 12/8/16 – House Concurrence Vote Scheduled

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• Dr. Jan Osborne (Putnam County ESC)</li><li>• Bryan Williams (Ohio Alliance for Medicaid in Schools)</li><li>• Zach Male (MSB)</li><li>• Cheryl VanHoose – Ohio Physical Therapy Association (SENATE)</li><li>• Brenda George – Ohio Occupational Therapy Association (SENATE)</li><li>• Barbara Shaner, Jay Smith, &amp; Tom Ash – OASBO, BASA, OSBA (SENATE)</li></ul>	<ul style="list-style-type: none"><li>• Karen Bresky (Healthcare Process Consulting, Inc.)</li><li>• Daniel Thomas (HBS)</li></ul>	

**Key Provisions - AS PASSED BY SENATE COMMITTEE (No Senate Floor Amdts)**

- The bill only does the following: Authorizes physical therapists, occupational therapists, speech-language pathologists, and audiologists with Medicaid provider agreements to refer Medicaid recipients to the services they provide so that the recipients can receive the services under the Medicaid School Program.

**As Passed by the House version:**

- Provides for the Ohio Department of Education (ODE) to receive at least 2.5% of the federal matching funds the state receives for the Medicaid School Program (MSP).
- Requires the Ohio Department of Medicaid (ODM) and ODE to jointly prepare procedural guidelines for, and other informational materials about, the MSP that give school providers clear instructions for participating in the MSP.
- Requires each MSP school provider to submit to ODE an annual report containing certain information about the provider's students.

- Requires ODE to use an MSP school provider's report to determine the provider's individualized education program rate and Medicaid eligible rate.
- Eliminates a requirement that an MSP service be provided in a school.
- Specifies conditions under which an MSP claim is to be rejected.
- Requires each MSP school provider to submit to ODM annually all claims data ODM needs for the provider's MSP claims.
- Permits ODM to make to MSP school providers interim payments of the federal funds ODM receives for MSP claims.
- Requires each MSP school provider to submit to ODM annually a cost report documenting the provider's actual costs incurred in providing MSP services to Medicaid recipients.
- Requires ODM to reconcile interim payments made to an MSP school provider for a fiscal year with the provider's cost report for that fiscal year.
- Requires that the MSP cover delegated nursing services provided by an unlicensed adult employed by or under contract with an MSP school provider.
- Requires the MSP to cover personal care services under certain circumstances.

**Additional Information**

**Synopsis of Committee Amendments:**

*Removes* all of the House-passed provisions with the result that the bill no longer does any of the following:

- Requires the Department of Education to receive at least 2.5% of the federal matching funds the state receives for the Medicaid School Program (MSP).
- Requires the Departments of Medicaid and Education jointly to prepare procedural guidelines for, and other informational materials about, the MSP.
- Requires school providers to submit to the Department of Education annual reports about students so that the Department can determine providers' individualized education program (IEP) rates and Medicaid eligible rates.
- Eliminates a requirement that covered services be provided in a school.
- Specifies conditions for rejecting claims.
- Requires school providers annually to submit to the Department of Medicaid all claims data needed for their claims.
- Permits the Department of Medicaid to make interim payments of the federal funds received for the MSP.
- Requires the MSP to cover delegated nursing services provided by an unlicensed adult employed by or under contract with a school provider.
- Requires the MSP to cover personal care services under certain circumstances.

Authorizes physical therapists, occupational therapists, speech-language pathologists, and audiologists with Medicaid provider agreements to refer Medicaid recipients to the services they provide under an IEP so that the services are covered under the MSP.

- **Policy Advisor:** Lisa Griffin, 937-554-6372, lisa.griffin@ohiohouse.gov

**SUB. H.B. 216 (PELANDA)**  
Advance Practice Registered Nurses

**House Co-Sponsors:** Representatives Brinkman, Becker, Roegner, Buchy, Brenner, Scherer, Schaffer, Burkley, Ryan, Maag, Schuring, Slaby, Ruhl, Reece, Hill, Thompson, Celebrezze

**Bill History**

- 5/25/2016 – House Health and Aging Committee (4 Hearings) (17-0)
- 5/25/16 – House Floor Vote (96-1)
- 11/30/16 – Senate Health & Human Services Committee (3 hearings) (11-0)
- 12/7/16 – Senate Floor Vote (32-0) – no floor amendments
- 12/8/16 – House Concurrence Vote Scheduled

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• Ohio Association of Advanced Practice Nurses (House &amp; Senate)</li><li>• Nancie Bechtel – Columbus Public Health (Senate)</li><li>• Julie DiRossi King – Ohio Association of Community Health Centers (Senate)</li></ul>		<ul style="list-style-type: none"><li>• Ohio State Medical Association (House &amp; Senate)</li></ul>

**Key Provisions – AS PASSED BY HOUSE (see Senate changes under “Additional Information”)**

- Establishes an advanced practice registered nurse (APRN) license to replace the existing certificate of authority issued by the Ohio Board of Nursing authorizing a registered nurse with advanced education and training to practice as a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner.
- Grants an APRN, other than a certified registered nurse anesthetist, authority to prescribe and furnish most drugs as part of the APRN license, without need for a separate certificate to prescribe or completion of a supervised externship.
- Requires that the Board establish an exclusionary drug formulary specifying the drugs an APRN is not authorized to prescribe and requires that the formulary be consistent with recommendations developed by the Committee on Prescriptive Governance.
- Increases to five (from three) the number of APRNs with whom a physician or podiatrist may collaborate at the same time in the prescribing component of an APRN's practice.
- Allows an APRN to continue to practice under an existing standard care arrangement without a collaborating physician or podiatrist for a period of not more than 120 days if the physician or podiatrist terminates the collaboration and the nurse immediately notifies the Board of the termination.
- Establishes the Advisory Committee on Advanced Practice Registered Nursing and requires that it advise the Board on the practice and regulation of APRNs.

*Updated December 7, 2016*

- Makes conforming changes to the laws governing nurses and other health professionals.

**Additional Information**

**AS PASSED BY SENATE COMMITTEE AFTER AMENDMENTS:**

- Establishes an advanced practice registered nurse (APRN) license issued by the Ohio Board of Nursing that, like the current certificate of authority it replaces, authorizes a registered nurse with advanced education and training to practice as a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner.
- Grants an APRN, other than a certified registered nurse anesthetist, authority to prescribe and furnish most drugs as part of the APRN license, without need for a separate certificate to prescribe or completion of a supervised externship.
- Requires that the Board establish an exclusionary drug formulary specifying the drugs an APRN is not authorized to prescribe. Also requires that the formulary be consistent with recommendations developed by the Committee on Prescriptive Governance.
- Increases to five (from three) the number of APRNs with whom a physician or podiatrist may collaborate at the same time in the prescribing component of an APRN's practice.
- Allows an APRN to continue to practice under an existing standard care arrangement without a collaborating physician or podiatrist for a period of not more than 120 days if the physician or podiatrist terminates the collaboration and the nurse notifies the Board of the termination.
- Establishes the Advisory Committee on Advanced Practice Registered Nursing to advise the Board on the practice and regulation of APRNs.
- Makes conforming changes to the laws governing APRNs and other health professionals.
- Makes changes to the laws governing the Board of Nursing.
- Authorizes a podiatrist to order and supervise hyperbaric oxygen therapy if specified conditions are met.
- Requires state agencies to assess the prevalence of diabetes and engage in related activities.

**Policy Advisor:** Lisa Griffin, 937-554-6372, [lisa.griffin@ohiohouse.gov](mailto:lisa.griffin@ohiohouse.gov)

**SUB H.B. 384 (SCHAFFER, DUFFEY)**  
State higher education institutions-subject to performance audits

**House Co-Sponsors:** Blessing, Boose, Vitale, Brown, Buchy, Butler, Pelanda, R. Smith, Amstutz, Anielski, Antani, Antonio, Arndt, Baker, Boyce, Brenner, Burkley, Conditt, Craig, Cupp, Dever, Dovilla, Hagan, Hall, Hambley, Koehler, LaTourette, Leland, McClain, M. O'Brien, S. O'Brien, Rutherford, Rogers, Romanchuk, Ryan, Scherer, Sprague, Sweeney, Thompson

**Senate Co-Sponsors:** NA

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**Bill History**

- 11/2/15 – Introduced
- 1/20/16 – Reported by House Government Accountability and Oversight Committee (4 Hearings), (11-0)
- 1/27/16 – House Floor Vote (97-0)
- 12/6/16 – Reported by Senate Finance Committee (5 Hearings)
- 12/7/16 – Senate Floor Vote (32-0)
- House Concurrence Vote Pending

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• Shawn Busken (Auditor of State)</li><li>• Marlene Znidar (Ohio Society of CPAs)</li><li>• Tom Walsh (Ohio Association of Community Colleges) (As Passed by the Senate)</li></ul>		<ul style="list-style-type: none"><li>• Greg Lawson (Buckeye Institute) (As Passed by the House)</li></ul>

**Key Provisions – As Passed by the House**

- Authorizes the Auditor of State to conduct performance audits of state institutions of higher education.

**Additional Information**

- Summary of Senate Changes:

**Education**

- Performance audits of state institutions of higher education

- Prohibits the Auditor of State from auditing the academic performance of a state institution of higher education.
- Sets costs limits for performance audits of state universities and colleges.
- Permits state institutions of higher education to obtain loans from the Leverage for Efficiency, Accountability, and Performance (LEAP) Fund to pay for performance audits of the institutions.
- **Midwest Student Exchange Program**
  - Permits the Chancellor of Higher Education to endorse Ohio's participation in the Midwest Student Exchange Program.
- **Inter-university tax consortium**
  - Permits a state university or college to participate in a joint self-insurance pool to provide personal liability coverage to protect the institution and its employees against loss incurred while undertaking official duties.
  - Authorizes the joint self-insurance pool to also provide certain types of property or casualty coverage to cover other risks of pool members.
  - Permits the board of trustees of the university or college to contract with a pool administrator to administer the joint self-insurance pool.
  - Exempts a joint self-insurance pool from the application of Ohio's Insurance Laws and its records from Ohio's Public Records Law.
  - Permits a joint self-insurance pool to issue obligations and notes to pay claims expenses.
  - Requires the pool administrator to prepare and maintain a public report on pool funds.
  - Limits the liability of a state university or college to the amounts payable pursuant to its written agreement with the pool.
  - Establishes civil immunities and defenses under the Court of Claims Law with respect to individuals involved in administering a joint self-insurance pool.
  - Specifies that an employee of a state university or college who becomes a member of the governing body of a joint self-insurance pool does not violate certain state employee ethics laws.
- **Workforce Grant Program**
  - Revises the Workforce Grant Program to require the Chancellor of Higher Education to disburse funds to institutions of higher education, which in turn must award grants to eligible students.

## **Taxation**

- **Municipal tax pension exemption**

- Specifies that all defined benefit plans, including supplemental executive retirement plans (SERPs), are exempt from municipal income tax.
- *Note: Provision removed with floor amendment*
- **Arena property tax exemption**
  - Authorizes a property tax exemption for an arena that is owned by the Convention Facilities Authority of a county with a population of more than one million people and that is leased to a private enterprise.
- **Musical entertainment device sales tax exemption**
  - Exempts from sales taxation the sale of music from a jukebox or similar musical entertainment device.
- **Taxation of small business investment companies**
  - Exempts small business investment companies from the financial institutions tax both prospectively and retrospectively to the first year that tax was levied (2014).
- **Water-works tangible personal property tax assessment**
  - Requires that all new water-works company tangible personal property first subject to taxation in tax year 2017 or thereafter be assessed at 25% of its true value, instead of 88% as required under existing law.
- **Economic development provisions affecting impacted cities**
  - Allows certain municipalities to use tax increment financing payments in lieu of taxes to fund unrelated infrastructure projects.
  - Allows a New Community Authority to contract with certain municipalities to fund services or infrastructure projects unrelated to the new community district.
- **Appeal of BTA decisions**
  - Removes a requirement that persons appealing a Board of Tax Appeals decision must serve notice of the appeal on the Tax Commissioner, unless the Commissioner is already a party to the case.

#### **Alternative Fuel Vehicle Conversion Program Grants**

- Allows political subdivisions of Ohio to receive grants under the Alternative Fuel Vehicle Conversion Program.

#### **Capital and operating appropriations**

- Under the Department of Natural Resources (DNR), modifies the Wilderness Center capital appropriation name.
- Transfers the Hamilton County Agricultural Facility Improvements capital appropriation from DNR to Cincinnati State Community College.
- Modifies the use of GRF line item 235620, Regional Partnership and Training Center, to add Shawnee State University, the University of Rio Grande, and Southern State Community

- College to the list of colleges and universities that have access to the funds, and makes Southern State Community College the fiscal agent for the money.
- Requires the Emergency Management Agency of the Department of Public Safety to award competitive grants of up to \$100,000 to nonprofit organizations for eligible security improvements that assist the organization in preventing, preparing for, or responding to acts of terrorism, and makes an appropriation for this purpose.
- Redirects a capital appropriation under the Department of Youth Services to the Department of Mental Health and Addiction Services for Summer Entrepreneurial Experience and Knowledge (SEEK).
- Redirects a capital appropriation from the Deerfield Township Simpson Creek Erosion Mitigation and Bank Control project to Hazel Woods Park (under DNR) and to the Warren County Historical Society (under the Facilities Construction Commission).
- Policy Advisor:** Dustin Russell, 614-466-2174, [Dustin.Russell@ohiohouse.gov](mailto:Dustin.Russell@ohiohouse.gov) and Marisa Myers, 614-728-5523, [Marisa.Myers@ohiohouse.gov](mailto:Marisa.Myers@ohiohouse.gov)

**From:** Lundregan, Scott  
**Sent:** Thursday, December 8, 2016 6:40 PM  
**To:** Kerns, Emily; Yable, Tyler; Sarko, Alyssa  
**Subject:** FW: Updated Concurrence Chart  
**Attachments:** HB 463 Bill Briefing.docx; HB470(Schuring).pdf; H.B. 154.docx; H.B. 347 (REP. MCCOLLEY, BRINKMAN) Modify Asset Forfeiture.pdf; H.B. 432 (REPS. CUPP, REZABEK) Probate Law Update.pdf; Caucus Agenda Concurrence 2.docx; \_Bill Brief HB 476 SEN.PDF; HB 438 Bill Brief.pdf; HB 410 Bill Brief.pdf

**From:** Lundregan, Scott  
**Sent:** Thursday, December 08, 2016 6:29 PM  
**To:** Kasych, Shawn ; Russell, Dustin  
**Cc:** Best, Carolyn ; Miller, Brad  
**Subject:** RE: Updated Concurrence Chart

Bill	Advisor	Status	Bill Brief	Caucus Speaker	Caucus	Concu
<b>HB 89 --</b> MEDICAID SCHOOL PROGRAM (DeVitis, A)	Lisa Griffin	Substitute Bill accepted and reported out of Senate Education 11/29/2016; Voted out of the Senate 12/7 30-1	Yes	DeVitis	Y	
<b>HB 216 --</b> ADVANCED PRACTICE REGISTERED NURSES (Pelanda, D)	Lisa Griffin	Substitute Bill reported out as amended 11/30; voted out of the Senate 12/7 32-0	Yes	Pelanda	Y	
<b>House Bill 341 –</b> Reps. Young and	Marisa Myers	SB Reported out of Senate Transportation	Yes	Young	Y	

Sweeney – Towing Laws		12/6; Floor Amendment and voted out 12/7 32-0			
<b>House Bill 384</b> – Reps. Schaffer and Duffey – Higher Education Performance Audits	Dustin Russell/Marisa Myers	AM Reported out of Senate Finance 12/7; Floor Amendment and voted out 32-0; AM4275: removes SERPs language	Yes	Duffey	Y
<b>House Bill 455</b> BOARDING SCHOOL ZONE (Patterson, Roegner)	Marisa Myers	Am reported out as amended; 12/7 vote 31-0	Yes	Roegner	Y
<b>HB 505</b> -- BIOLOGICAL PRODUCTS- PHARMACISTS (Huffman, Pelanda)	Lisa Griffin	Reported out as amended; floor vote 12/7 emergency clause and vote 32-0	Yes	Huffman	Y
<b>HB 18</b> --FLAG- BANNER DISPLAY (Rep. Anne Gonzales, Rep. Tim Ginter)	Ryan Lehman	Substitute accepted and voted out; 12/6 floor vote 31-0	Yes	Gonzales	Y
<b>House Bill 48</b> – Rep. Maag – 2nd amendment clarification	Maria Myers	AM; Reported out of committee, two floor amendments, Senate Floor vote 12/7	Yes	Maag	Y
<b>HB 290</b> USFDA DRUGS-	Lisa Griffin	Reported out as amended;	Yes	Sprague	Y

TERMINALLY ILL (Sprague, R)		12/6/16 passed Senate 31-0				
<b>House Bill 463 –</b> Rep. Dever – Foreclosure Reform	Steven Alexander	Amended in Committee; Floor Vote 12/8	Yes	Dever	Y (but brief hasn't been distributed)	
<b>HB 470 --</b> PALLIATIVE CARE LICENSURE (Schuring, K) - Regarding licensure of palliative care facilities.	Lisa Griffin	Amended in Committee; Floor Vote 12/8	Yes	Schuring		
<b>HB 154 --</b> BICYCLE PASSING- TRAFFIC LIGHTS (Henne, Sheehy)	Ryan Lehman	Amended in Committee; Floor Vote 12/8	Yes	Henne		
<b>House Bill 172 –</b> CRIMINAL RECORDS LAW (Barnes, Jr., J)	Marisa Myers	Amended in Committee; Floor Vote 12/8; Floor Amendment	Yes			
<b>House Bill 347 –</b> Reps. McColley and Brinkman – Civil Asset Forfeiture	Scott Lundregan	Amended in Committee; Floor Vote 12/8	Yes	McColley		
<b>HB 438 --</b> WEEK DESIGNATION (Patterson, J) -	Nick Derksen	Reported out as Amended	Yes	Brenner		
<b>House Bill 476 –</b> Rep. Schuring – Anti BDS	Dustin Russell	Amended in Senate Government	Yes	Schuring		
<b>House Bill 410 –</b> Reps. Hayes and Rezabek – Truancy Reform	Nick Derksen	AM Reported out of Senate Education 12/6;	Yes	Rezabek		

		Amended on Floor; Senate Floor Vote 12/8		
<b>HB 432--</b> <b>DECEDENT-</b> <b>ESTATE (Cupp,</b> <b>Rezabek)</b>	Scott Lundregan	Amended in Committee; Senate floor Vote 12/8	Yes	Cupp

**Scott Lundregan**  
 Majority Deputy Legal Counsel  
 House Republican Caucus  
 Ohio House of Representatives  
 614-466-1460

**H.B. 463 (DEVER)**  
**Foreclosure actions-revise relevant laws**

**House Co-Sponsors:** Becker, Boccieri, Hambley, Perales, Sprague, Terhar, Leland, Anielski, Antonio, Arndt, Baker, Blessing, Brown, Buchy, Burkley, Celebreeze, Conditt, Craig, Dovilla, Duffey, Fedor, Ginter, Green, Grossman, Henne, Lepore-Hagan, Manning, McClain, McColley, M. O'Brien, S. O'Brien, Patterson, Reece, Reineke, Rutherford, Ryan, Scherer, Schuring, Sheehy, Slaby, Slesnick, K. Smith, Strahorn, Sweeney, Young

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**Bill History**

- 4/27/2016 – House Financial Institutions, Housing, and Urban Development Committee (4 Hearings) (12-0)
- 5/11/2016 – House Floor Vote (95-1)
- 12/8/2016 – Senate Civil Justice Committee (8-3)
- 12/8/2016 – Senate Floor (*pending*)

**Stakeholders**

<b>Proponent</b>	<b>Opponent</b>	<b>Interested Party</b>
<ul style="list-style-type: none"> <li>• Jessica Powell (<i>City of Cincinnati</i>)</li> <li>• Marc Dann (<i>Families for Foreclosure Fairness</i>)</li> <li>• Danny Crank (<i>Ohio Recorders Association</i>)</li> <li>• Melissa Messina (<i>Franklin County Treasurer</i>)</li> <li>• Tim Williams (<i>Ohio Manufactured Homes Association</i>)</li> <li>• Dustin Holfinger (<i>Ohio Bankers League</i>)</li> <li>• Tony Fiore (<i>Keglor, Brown, Hill, and Ritter</i>)</li> <li>• Marianne Collins (<i>Ohio Mortgage Bankers Association</i>)</li> <li>• Jeff Ferriell (<i>Capital University Law Professor</i>)</li> <li>• Steven Buchenroth (<i>Ohio State Bar Association</i>)</li> <li>• Scott Ziance (NAIOP of Ohio)</li> <li>• Dave Dickerson (Miller Valentine Group)</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Sally Martin (<i>City of South Euclid</i>)</li> <li>• Lindsay Gardiner (<i>Greater Ohio Policy Center</i>)</li> <li>• Marta Mudri (<i>Ohio Judicial Conference</i>)</li> </ul>

### **Key Provisions**

- Modifies how property taxes are collected out of the sale proceeds when real estate is sold in foreclosure or other court-ordered sale.
- Expressly requires the court to hold an oral hearing in determining whether to proceed in an expedited manner in a foreclosure action.
- Eliminates the requirement that the purchaser pay the recording fee required at a foreclosure sale and instead requires the collection of the sale deposit under existing law.
- Clarifies that excess private selling officer fees may be paid by the buyer of the property.
- Establishes that when both the judgment creditor and the first lienholder seek to redeem the foreclosed property, the first lienholder prevails.
- Modifies the minimum bid requirement for sales initiated by a county prosecutor.
- Requires that if the appraisal requirement is not met, the appraised value of the property should be the most recent appraised value instead of the fair market value.
- Requires that when real property is not sold at the second sale, the minimum bid must be equal to unpaid taxes and court costs.
- Prohibits the use of plywood to secure real property that is deemed vacant and abandoned under continuing law.
- Modifies laws relative to disbursements made in escrow transactions connected with residential real estate. Housing Civil Rights laws
- Makes permissive the awarding of actual damages and attorney's fees in housing discrimination cases before the Civil Rights Commission.
- Permits the Civil Rights Commission as part of the penalty for a housing discrimination case to require remediation in the form of a class, seminar, or any other type approved by the Commission.
- Allows the Civil Rights Commission, to vindicate the public interest, to assess a civil penalty against a person found to have engaged in unlawful housing discrimination, instead of allowing the Civil Rights Commission to award the complainant punitive damages under existing law.
- Allows a person to recover attorney's fees if the Civil Rights Commission finds that the person did not engage in an unlawful discriminatory practice.
- Permits a housing complaint to be amended at any time up to seven days prior to the hearing.
- Makes other technical, nonsubstantive changes.
- Changes to Ohio UCC laws on commercial paper and bank deposits and collections
- Generally provides that a note is paid if payment is made by the party obliged to pay to a person formerly entitled to enforce the note only if that party has not received notification that the note has been transferred and payment is to be made to the transferee.
- Specifies that unless a transferee complies with a request to furnish proof that the note has been transferred, a payment to the person formerly entitled to enforce the note discharges the obligation to pay even if the party obliged to pay has received notification of the transfer.
- Generally provides that a transferee or person acquiring rights to the instrument from a transferee is deemed to have notice of any payment under the preceding dot points after the date the note is transferred to the transferee but before the party obliged to pay received notification of the transfer.

- Defines "remotely created consumer item," for purposes of the following provisions on commercial paper and bank deposits and collections, as an item drawn on a consumer account that is not created by the payor bank and does not bear a handwritten signature purporting to be the drawer's signature.
- Provides that the following persons warrant, with respect to a remotely created consumer item, that the person on whose account the item is drawn authorized the item's issuance in the amount for which it is drawn:
  - A person who transfers an instrument for consideration, to a transferee and a subsequent transferee;
  - A customer or collecting bank that transfers an item for consideration, to the transferee and any subsequent collecting bank;
  - A person obtaining payment or acceptance, to the drawee making the payment or acceptance of an unaccepted draft presented to the drawee.
- Makes a claim and defense available if, in a "consumer transaction," any law other than the commercial paper law requires an instrument to include a statement that a holder's rights are subject to a claim or defense that the issuer could assert against the original payee and the instrument does not contain such statement.
- Changes the reference in various provisions of the UCC laws on commercial paper and bank deposits and collections from "writing" or "written" to "record," defined as information that is inscribed on a tangible medium or is stored in an electronic or other medium and is retrievable in perceivable form.
- Outright repeals current provisions on the discharge of indorsers and accommodation parties and replaces them with specific rules regarding the effect of the following on the discharge of the obligations of a principal obligor or secondary obligor:
  - The release of the obligation of a principal obligor by a person entitled to enforce an instrument and another party to the instrument is a secondary obligor with respect to the principal obligor's obligation.
  - The extension of the time at which payments are due on the instrument granted by a person entitled to enforce the instrument to a principal obligor and another party to the instrument is a secondary obligor with respect to the principal obligor's obligation.
  - Any other modification of a principal obligor's obligation agreed to by a person entitled to enforce the instrument and another party to the instrument is a secondary obligor with respect to the principal obligor's obligation.
- Provides that generally a secondary obligor's obligation is not discharged unless the person entitled to enforce the instrument knows that the person is a secondary obligor or has notice under continuing law that the instrument was signed for accommodation.
- Generally provides that a secondary obligor asserting a discharge has the burden of persuasion both with respect to the occurrence of the acts alleged to harm the secondary obligor and loss or prejudice caused by those acts.
- Provides that a signer of an instrument as an accommodation party is obliged to pay the amount due on the instrument to the person entitled to enforce it in the same circumstances as the accommodated party is obliged without prior resort to the accommodated party by the person entitled to enforce the instrument.
- Extends the maximum term of a Community Reinvestment Area (CRA) tax exemption for remodeled property.
- Changes the basis for determining the tax-exempt value of remodeled structures for property in a CRA.

- Establishes a definite starting point and method for determining the tax-exempt value of contaminated ("brownfield") property.
- Requires health plan issuers to provide coverage for autism spectrum disorder.
- Prescribes minimum coverage requirements for autism spectrum disorder.
- Allows a health plan issuer to review an autism spectrum disorder treatment plan on an annual basis.
- Allows a health plan issuer to review an autism spectrum disorder treatment plan more than once a year if the additional reviews are agreed to by the overseeing physician.
- Requires the Superintendent of Insurance to conduct an actuarial study on the costs of health care mandates under Ohio law that apply to non-ERISA individual and group health insurance plans.
- States the intent of the General Assembly to implement a two-year moratorium on new health care mandates and to develop potential tax credits that offset additional employer costs associated with health care mandates. Child Abuse and Child Neglect Regional Prevention Council members
- Provides that Child Abuse and Child Neglect Prevention Regional Council members are to be reimbursed for expenses incurred in the performance of official duties.
- Prohibits members from participating in Council matters that may pose a conflict of interest.
- Requires a board of elections or the Secretary of State to invalidate a local initiative petition if the board or the Secretary determines that the petition or any portion of it does not fall within the scope of the local government's constitutional authority to enact ordinances or does not satisfy the statutory prerequisites to place the issue on the ballot.
- Changes the deadline to file a county charter petition with the board of county commissioners to 115 days, instead of 110 days, before the day of the general election at which the proposal is to appear on the ballot.
- Specifies that a municipal recall petition is not valid after 90 days from the date of the first signature.
- Requires a recall election to be held at the next primary or general election occurring more than 90 days from the date the petition is certified as sufficient.

#### Additional Information

##### Senate Amendments

###### Omnibus Amendment (AM\_131\_4306-1)

- Prohibits securing real property with plywood
- Clarifies the minimum bid in a sale or real property in the expedited foreclosure process
- Modifies the conditions when a closing agent can make a disbursement from an escrow account on behalf of another person
- Alters the provision allowing for a recall of municipal elected officials to state that the election shall be during a primary or general election
- Allows the OCRC to utilize an alternative dispute resolution method, assess a civil penalty rather than award punitive damages and award the respondent reasonable attorney fees under certain circumstances in an unlawful discriminatory practice case
- Modifies the real property foreclosure sale deposit provision
- Clarifies compensation and conflict of interest provisions regarding the members of the child abuse and child neglect regional prevention councils

- Requires private health plans to cover autism services under certain circumstances, implements a cutoff at age 14, implements a prior authorization requirement, and specifies the providers who can order the behavioral therapy services
- Removes partial property tax complaint provision
- Modifies the process for initiating a local ballot initiative and challenging the validity of the signatures
- Requires ODI to conduct an actuarial evaluation of how much health insurance mandates cost private insurers and report to the General Assembly
- States that the General Assembly intends to not pass any more health insurance mandates for 2 years
- **Policy Advisor:** Steven Alexander, 614-466-0891, [steven.alexander@ohiohouse.gov](mailto:steven.alexander@ohiohouse.gov)

**SUB. H.B. 470 (SCHURING)**  
**Palliative care facilities-licensing**

**House Co-Sponsors: Representatives Bishoff, Brown, Johnson, T.**

**Bill History**

- 5/18/2016 – Health House Committee (5 Hearings), (17-0)
- 5/25/2016 – House Floor Vote (92-5)
- 12/8/2016 – Senate Floor Vote (31-0)
- House Concurrence Pending

**Stakeholders**

<b>Proponent</b>	<b>Opponent</b>	<b>Interested Party</b>
<ul style="list-style-type: none"><li>• Sister Marilee Heuer (Sisters of the Congregation of the Divine Spirit)</li><li>• Sister Janet Harold (Sisters of the Congregation of the Divine Spirit)</li><li>• Roberta McKnight</li><li>• Kayla Atchison (Ohio Right to Life)</li></ul>		<ul style="list-style-type: none"><li>• Anne Shelley (LeadingAge Ohio)</li><li>• John Stacy (Ohio Council for Home Care and Hospice)</li></ul>

**Key Provisions**

**CERTIFICATE OF NEED**

- Permits a licensed nursing home to add 20 or fewer long-term care beds without obtaining a certificate of need if all of the beds being added are to be used solely for palliative care and the nursing home does not participate in Medicare or Medicaid.

**HOSPITAL AFTER-CARE AND DISCHARGE PLANNING**

- Requires hospitals to give a patient or the patient's guardian the option of designating a lay caregiver for the patient (a person who provides after-care to the patient in the patient's residence after discharge).
- Specifies a hospital's duties once a lay caregiver designation has been made, including the duty to create a discharge plan and review the plan with the patient's lay caregiver (in addition to the patient or guardian) if determined appropriate by the discharging health care professional.
- Requires a discharge plan to include a live demonstration of each task to be performed under the plan if the discharging health care professional determines a live demonstration would be appropriate.
- Specifies how a lay caregiver designation may be revoked.

*Updated December 8, 2016*

- Grants a discharging health care professional immunity from criminal prosecution, civil liability, and professional disciplinary action for an event or occurrence that allegedly arises out of the professional's determination that a patient's lay caregiver should or should not participate in the review of the patient's discharge plan.
- Specifies that it is the General Assembly's intent that the bill not be construed to create a right of action against a hospital or a hospital employee, agent, or contractor, among other statements of statutory intent.
- Authorizes the Ohio Department of Health to adopt rules as necessary to implement the bill's provisions.

#### **MEMORY CARE UNITS**

- Requires the Director of Aging and the Director of Health to jointly develop recommendations regarding the establishment of standards and procedures for the operation of memory care units, as well as quality-of-care metrics for such units.

#### **CRIMINAL PENALTY – ASSISTING SUICIDE**

- Generally prohibits a person from knowingly causing another to commit or attempt to commit suicide by either providing the physical means to do so or participating in a physical act by which the person commits or attempts to commit suicide.

#### **Additional Information**

- **Synopsis of Committee Amendments:**
  - Senate Health and Human Services Committee

#### **Removed Autism Coverage Provisions**

##### **Palliative care**

- Eliminates the bill's provisions related to the Ohio Department of Health regulating palliative care facilities through a licensing process.
- Permits a licensed nursing home to add 20 or fewer long-term care beds without obtaining a certificate of need if all of the beds being added are to be used solely for palliative care and the nursing home does not participate in Medicare or Medicaid.

##### **Hospital after-care and discharge planning**

- Requires hospitals to give a patient or the patient's guardian the option of designating a lay caregiver for the patient (a person who provides after-care to the patient in the patient's residence after discharge) and specifies responsibilities hospitals have if that option is chosen.
- Specifies responsibilities hospitals have with respect to creating patient discharge plans and discharge planning.
- Grants a discharging health care professional immunity for an event or occurrence that allegedly arises out of the professional's determination that a patient's lay caregiver should or should not participate in the review of the patient's discharge plan.
- Authorizes the Ohio Department of Health to adopt rules to implement the bill's provisions.

##### **Memory care units**

- Requires the Director of Aging and the Director of Health to jointly develop recommendations regarding the establishment of standards and procedures for the operation of memory care units, as well as quality-of-care metrics for such units.

*Updated December 8, 2016*

**Criminal penalty – assisting suicide**

- Generally, prohibits a person from knowingly causing another to commit or attempt to commit suicide by either providing the physical means to do so or participating in a physical act by which the person commits or attempts to commit suicide.
- **Policy Advisor:** Lisa Griffin, 937-554-6372, [lisa.griffin@ohiohouse.gov](mailto:lisa.griffin@ohiohouse.gov)

**H.B. 154 (HENNE, SHEEHY)**  
*Motor vehicles-safe passing distance-bicycles/malfunctioning traffic lights*

**House Co-Sponsors:** Stiniano, Grossman, Clyde, Perales, Duffey, Zeltwanger, K. Smith, Brenner, Lepore-Hagan, Fedor, Bishoff, Rutherford, Antonio, Arndt, Ashford, Barnes, Boggs, Boyd, Brown, Celebrezze, Craig, Driehaus, Leland, Manning, M. O'Brien, S. O'Brien, Patterson, Phillips, Ramos, Rogers, Sprague, Strahorn, Sweeney

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**Bill History**

12/08/2016 **PASSED BY SENATE**; Vote 30-1

12/06/2016 **REPORTED OUT AS AMENDED**, Senate Transportation, Commerce and Labor, (Second Hearing)

11/15/2016 Senate Transportation, Commerce and Labor, (First Hearing)

09/28/2016 Referred to Senate Transportation, Commerce and Labor

05/24/2016 **PASSED BY HOUSE**; Vote 81-16

06/24/2015 **REPORTED OUT**, House Armed Services, Veterans Affairs and Public Safety, (Third Hearing)

06/10/2015 House Armed Services, Veterans Affairs and Public Safety, (Second Hearing)

05/12/2015 House Armed Services, Veterans Affairs and Public Safety, (First Hearing)

04/21/2015 Referred to House Armed Services, Veterans Affairs and Public Safety

04/13/2015 Introduced

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>Ohio Bicycle Federation</li><li>City of Columbus</li><li>Girls with Gears Cycling Club</li><li>Bike Miami Valley</li></ul>	<ul style="list-style-type: none"><li>N/A</li></ul>	<ul style="list-style-type: none"><li>N/A</li></ul>

**Key Provisions**

- Requires a vehicle operator at an intersection where the traffic control signal is malfunctioning, including when there is a failure of the vehicle detector to detect the vehicle, to follow the same procedures that apply when a traffic control signal fails to indicate the assignment of the right-of-way.
- Requires the operator of a vehicle that is passing a bicycle to pass at a distance of three feet or greater.

**Additional Information**

**• Senate Amendments:**

- An amendment to HB154 offered by Sen. Manning (Am131) was accepted without objection. The amendment would change "the safe passing distance to the left shall

be not less than three feet,” to “three feet or greater is considered a safe passing distance.”

- **Policy Advisor:** Ryan Lehman, 614-466-6505, [ryan.lehman@ohiohouse.gov](mailto:ryan.lehman@ohiohouse.gov)

Updated December 8, 2016

**H.B. 347 (REP. MCCOLLEY, BRINKMAN)**  
Modify Asset Forfeiture

**House Co-Sponsors:** Rep. Niraj J. Antani, Rep. John Becker, Rep. Andrew Brenner, Rep. Jonathan Dever, Rep. Mike Duffey, Rep. Stephen D. Hambley, Rep. Michael Henne, Rep. Ron Hood, Rep. Sarah LaTourette, Rep. Wes Rutherford, Rep. Kristina Roegner, Rep. Kirk Schuring, Rep. Louis Terhar, Rep. Andy Thompson, Rep. A. Nino Vitale, Rep. Ron Young, Rep. Paul Zeltwanger

**Bill History**

- 5/24/2016 – House Judiciary Committee Report (9-4 (Cupp No))
- 5/25/2016 – House Floor Vote (72-25)
- 12/7/2016 – Senate Government Oversight and Reform Report
- Senate Floor Vote Pending
- House Concurrence Pending

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• Buckeye Institute</li><li>• Ohio Judicial Conference</li><li>• US Justice Action Network</li><li>• Freedom Works</li><li>• Fix Forfeiture Now</li><li>• Institute for Justice</li><li>• Americans for Tax Reform</li><li>• Faith and Freedom Coalition</li><li>• Center for American Progress</li><li>• Right on Crime</li></ul>	<ul style="list-style-type: none"><li>• The Ohio Prosecuting Attorneys Association</li></ul>	<ul style="list-style-type: none"><li>• The Ohio Department of Public Safety</li><li>• Buckeye Sheriffs</li></ul>

**Synopsis of Committee Amendments**

The Committee made the following revisions to the bill:

- Prohibits any person from receiving, retaining, possessing, or disposing of proceeds knowing or having reasonable cause to believe the proceeds were derived from an

"offense subject to forfeiture proceedings" instead of the commission of a drug, theft, or trafficking in persons offense in the House-passed version.

- Defines "offense subject to forfeiture proceedings" as any offense in a list of specific offenses in the Criminal Code generally pertaining to homicide and assault, kidnapping and extortion, sex offenses, arson and related offenses, robbery and burglary, gambling, offenses against justice, drug offenses, and conspiracy or attempt to commit, or complicity in committing the offenses.
- Changes the name of the offense of "receiving proceeds of a drug abuse, theft, or trafficking in persons" to the offense of "receiving proceeds of an offense subject to forfeiture proceedings."
- Permits the state to file a civil action against a person alleged to have received, retained, possessed, or disposed of proceeds, in an amount exceeding \$15,000, instead of \$25,000 in the House-passed version, knowing or having reasonable cause to believe that the proceeds were allegedly derived from the commission of an "offense subject to forfeiture proceedings" as defined.
- Provides for an annual increase of the above amount of \$15,000 based on the rate of inflation according to the consumer price index.
- Removes from the bill the changes made to R.C. 2981.12 (disposal of forfeited property) and R.C. 2981.13 (sale of forfeited property and forfeiture funds), thus retaining existing law.
- Adds the sanction of intervention in lieu of conviction in addition to conviction of an offense in the criminal forfeiture provisions.

#### Key Provisions

- Modifies the civil forfeiture process by permitting a civil forfeiture action to be filed only under specified circumstances not sooner than specified periods of time after the seizure of the property.
- Specifies that a civil forfeiture complaint may only be filed if the property was seized with probable cause of its involvement in the commission of a felony or gambling offense or was directly or indirectly obtained through the commission of a felony or gambling offense and either of the following applies:
  - The property owner is unavailable due to being deceased, or having been indicted and being out of state and unable to be extradited for prosecution or unable to be located despite reasonable efforts to locate the owner.
  - The property owner has not claimed, or asserted any interest in, the property at any time during or after seizure and all claims of aggrieved parties have been denied.
- Permits a prosecutor to file a civil forfeiture action with or after the filing of a complaint charging an offense or delinquent act, and provides that that action is stayed during the pendency of the criminal or delinquency proceedings and proceeds after the defendant is convicted or the juvenile is adjudicated delinquent.
- Changes the burden of proof required for the prosecutor in a civil forfeiture action to establish that property is subject to forfeiture from a preponderance of the evidence to clear and convincing evidence.
- Eliminates the current provision permitting a civil forfeiture action to be commenced regardless of whether the offender or delinquent child has pleaded guilty to, been

convicted of, or been adjudicated delinquent for the act that is the basis of the forfeiture order.

- Permits the state to file a civil action against a person alleged to have received, retained, possessed, or disposed of proceeds, in an amount generally exceeding \$15,000, knowing or having reasonable cause to believe that the proceeds were allegedly derived from the commission of an "offense subject to forfeiture proceedings."
- Specifies the contents of a complaint in the above civil action, the elements that the state has the burden to prove by clear and convincing evidence, and the period of limitations for bringing the civil action.
- Provides that the civil action is stayed if a criminal complaint is filed against the person alleged to have received, retained, possessed, or disposed of proceeds generally exceeding \$15,000, knowing or having reasonable cause to believe that the proceeds were derived from the commission of an offense subject to forfeiture proceedings.
- Provides that the above amount of \$15,000 must be annually increased based on the rate of inflation according to the consumer price index starting on January 1, 2018.

#### **Offense of receiving proceeds of an offense subject to forfeiture proceedings**

- Establishes the offense of "receiving proceeds of an offense subject to forfeiture proceedings" by prohibiting any person from receiving, retaining, possessing, or disposing of proceeds knowing or having reasonable cause to believe the proceeds were derived from the commission of any of specified offenses.
- Provides that a person is considered to have received, retained, possessed, or disposed of proceeds if they were found in a vehicle that the person was the last person to operate immediately prior to the vehicle's search.

#### **Seized property**

- Modifies the timeline for hearing a motion by a person aggrieved by an alleged unlawful seizure of property showing the person's interest in the property.
- At the above hearing, places on the state or political subdivision the burden of proof by a preponderance of the evidence that the seizure was lawful if the property is titled or registered, and places on the person the same burden of proof that the seizure was unlawful if the property was not titled or registered.
- Modifies the timeline for filing and for deciding a petition by a person with an interest in seized property for its conditional release.

#### **Criminal forfeiture**

- Repeals the provision that allows the court, for good cause shown, to consider issues of guilt of the alleged offender or the delinquency of the alleged delinquent child separate from whether property should be forfeited.
- Changes the burden of proof required for the state or political subdivision to establish that property is subject to forfeiture from a preponderance of the evidence to clear and convincing evidence.

*Updated December 8, 2016*

- Expands the contents of a petition by a third party claimant asserting a legal interest in the property.
- Changes the burden of proof required for a prosecutor to prove that a lienholder asserting a legal interest in the property does not possess such interest from a preponderance of the evidence to clear and convincing evidence.
- Places on the state or political subdivision the burden of proof by clear and convincing evidence that the amount or value of the instrumentality ordered forfeited is proportionate to the severity of the offense.
- Expands the factors the court is required to consider in determining the severity of the offense.
- Requires the state or political subdivision to demonstrate by clear and convincing evidence specified conditions for the court to order forfeiture of any other property of the offender or delinquent child if the property ordered forfeited is unreachable.

#### **Definition of "proceeds"**

- Excludes from the definition of "proceeds" property, including money, if it is held under clear title by a law enforcement agency, it is or may be used to purchase contraband in investigating a drug abuse offense, and it continues to be the agency's property if the agency establishes a clear chain of custody to it.

#### **Disposal of forfeited property**

- Requires the written internal control policy of a law enforcement agency with custody of forfeited property to include an itemized list of the specific expenditures from the sale proceeds of the property.

#### **Federal forfeiture**

- Prohibits the transferring or referral of property seized by a law enforcement agency or prosecuting authority to any federal law enforcement authority or agency for federal forfeiture purposes unless the value of the property exceeds \$100,000, excluding the potential value of the sale of contraband, or the transfer or referral is for federal criminal forfeiture proceedings.

#### **Goods in execution claimed by a third party**

- Modifies existing law by requiring the judge of the court of common pleas, municipal court, or county court, whichever has jurisdiction, to schedule a hearing to determine a claimant's right to the goods in execution as soon as practicable after receipt of the notice and schedule of the property.

*Updated December 8, 2016*

- Repeals the existing provisions requiring the summoning of jurors to try and determine the rights of the claimant to the property in controversy in a jury trial and to make appropriate findings.
- Provides that the judge must render judgment based on the judge's findings at the hearing.

**Additional Information**

- **Policy Advisor:** Scott Lundregan, 466-1460, [Scott.Lundregan@OhioHouse.gov](mailto:Scott.Lundregan@OhioHouse.gov)
- **Substitute Bill Accepted in Committee:**
  - Allow for civil forfeiture if property was seized with probable cause that it was involved in the commission of a felony or in a gambling offense as defined in O.R.C. section 2915.01 and one of the following applies-
    - The property owner is deceased
    - A warrant was issued for the arrest of the property owner and the suspect cannot be located
    - The property owner has not claimed the property subject to forfeiture
  - Allow for civil forfeiture post-conviction, meaning the prosecutor can file for a civil forfeiture prior to a charge or conviction, but they may not proceed with the civil action until after a conviction has been obtained
  - Specifies what forfeiture funds may be used to pay for
  - Creates language clarifying that money belonging to law enforcement that is used to buy drugs is not considered proceeds for purposes of the bill, and may be immediately returned to law enforcement so long as a clear chain of custody and clear title is demonstrated
  - Creates a new criminal penalty that prohibits a person from receiving, retaining, possessing, or disposing of proceeds knowing or having reasonable cause to believe that the proceeds were derived from the commission of a drug abuse offense, a theft offense, or the offense of trafficking in persons. This will give law enforcement another tool to combat the drug epidemic.
- **Amendment Accepted in Committee:**
  - In addition to these changes, an amendment was offered and accepted in committee that allows a civil action against a person who is alleged to have received proceeds in excess of \$25,000 and had reasonable cause to believe that those proceeds derived from the commission of a drug abuse, human trafficking, or theft offense. The amendment also revises the amount at which seized property may be transferred to the federal government for forfeiture and participation in the equitable sharing program, changing the amount from \$50,000 to \$100,000. These changes came from the concerns of some members on the committee.
  -

*Updated December 7, 2016*

**H.B. 432 (REPS. CUPP/REZABEK)**

To revise the law governing decedent's estates by making changes in the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act, and the Uniform Simultaneous Death Act.

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**Bill History**

- 4/12/2015 – House Judiciary Committee Favorably Reports (11-1 (Antani-No))
- 5/18/2016 – House Floor Vote (92-4)
- Senate Floor Vote Pending
- House Concurrence Pending

**Stakeholders**

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"><li>• The Ohio Judicial Conference</li><li>• The Ohio Clerk of Courts Association</li><li>• Franklin County Probate Judge Robert Montgomery</li><li>• The Ohio State Bar Association</li></ul>	•	•

**Synopsis of Committee Amendments**

Adopts the Revised Uniform Access to Digital Assets Act, which:

- Authorizes specified fiduciaries (an agent under a power of attorney, an executor or administrator of an estate, a guardian, or a trustee) of another person to access a digital asset in which the other person has or had a right or interest;
- Describes the scope of authority of fiduciaries and designated recipients in relation to digital assets;
- Specifies the manner in which a fiduciary may access digital assets and a custodian may disclose those assets;
- Authorizes a fiduciary to request a custodian to terminate a user's account and a guardian to request the termination or suspension of a ward's account for good cause;
- Creates an order of priority if the user has provided contradictory directions with respect to the disclosure of the user's digital assets.
- Permits a user to direct the custodian of the user's digital assets to disclose or not to disclose some or all of those assets to a designated recipient by means of an online tool.

### **Key Provisions**

#### **Probate Law**

- Specifies that a will deposited by or for the testator in the office of the judge of the probate court of the county in which the testator lives may be so deposited before or after the testator's death and if after such death, with or without applying for its probate.
- Increases the fee for the deposit of the will from \$5 to \$25 and specifies that the fee is to be paid to the court.
- Authorizes a probate judge to dispose of a deposited will after 100 years if it is not delivered or disposed as provided in continuing law, and requires the judge to keep an electronic copy of the will prior to such disposal.
- Specifies that a deposited will generally is not a public record until the time an application is filed to probate it.
- Provides that property devised or bequeathed to a beneficiary in a will who knows of the will's existence for one year after the testator's death and, without reasonable cause, intentionally conceals or withholds it or refuses to cause it to be offered for probate passes as if the beneficiary predeceased the testator.
- Provides that a provision in a will or governing instrument apportioning tax to an interest that is otherwise allowable as an estate tax marital or charitable deduction is ineffective unless it refers to such deduction and expressly acknowledges and accepts any resultant partial loss of the deduction.
- Modifies the number of automobiles that may be selected by a surviving spouse upon the other spouse's death from a maximum of two automobiles under current law to "one or more" automobiles.
- Increases the maximum total value of the automobiles that may be selected by the surviving spouse from \$40,000 to \$65,000.

#### **Uniform Simultaneous Death Act (USDA)**

- Substantially retains current law that generally provides, for purposes of the probate law or governing instruments, that an individual who is not established by clear and convincing evidence to have survived the other individual or an event by 120 hours is deemed to have predeceased the other individual or event.
- Generally provides that if it is not established by clear and convincing evidence that one of two co-owners with right of survivorship survived the other co-owner by 120 hours, one-half of the property passes as if one co-owner survived the other by 120 hours and one-half passes as if the other co-owner survived the one by 120 hours.
- Generally provides that if there are more than two co-owners with right of survivorship and it is not established by clear and convincing evidence that at least one of the co-owners survived the others by 120 hours, the property passes in the proportion that one co-owner's ownership bears to all the co-owners' ownership.
- Substantially retains, with structural changes, the existing conditions for which survival by 120 hours is not required.